

# HUMAN RIGHTS FROM THE DALIT PERSPECTIVE

Edited by Henry Thiagaraj

Adi Dravida girl  
harassed by teacher

From our Staff Reporter

MADRAS, Aug. 12

The Tamil Nadu Teachers' Federation has re-  
solved to drop the criminal case  
taken against Mr. P. Subramaniam,  
Chinnaiyapattinam, Salem district, for  
assault on an Adi Dravida girl, M. Dha-

ra, who was  
given without  
the teacher's  
consent.

The  
case

சிதம்பரம் போலீஸ் நிலைய சம்பவம்:

பத்மினி கற்பழிப்புக்கு

a Dalit

ஆதாரம் உள்ளது

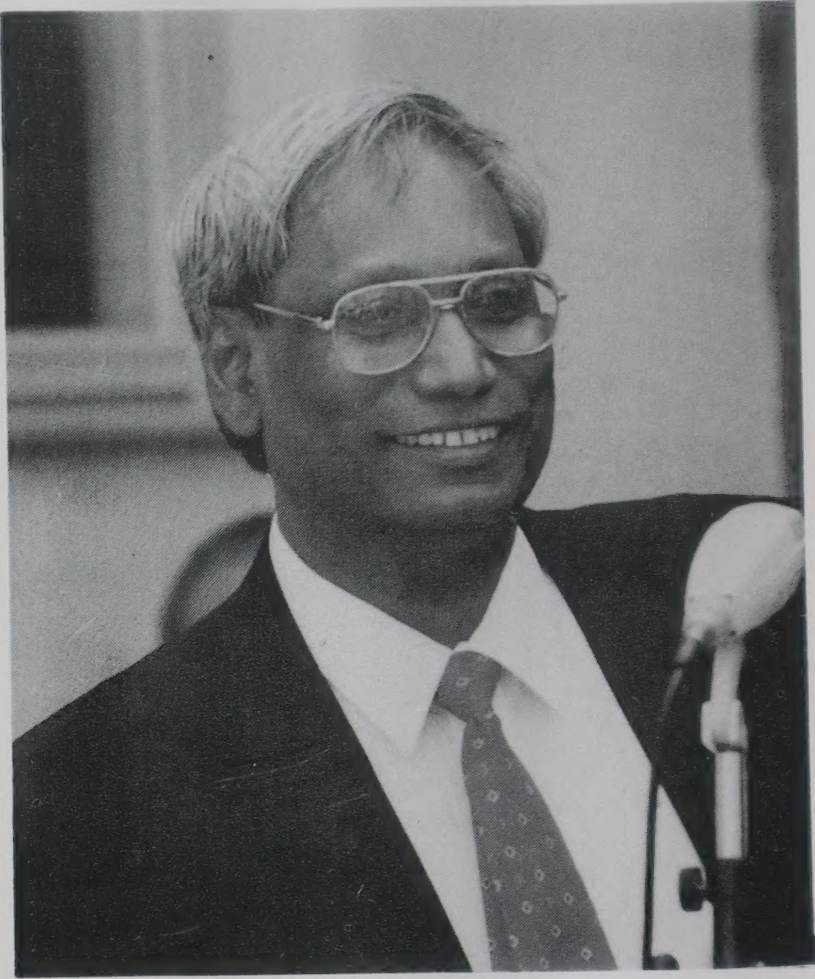
விசாரணை நடத்திய

போலீஸ் அதிகாரி அ.

Dalit Liberation Education Trust  
Madras

Over 100 hurt in clash





Mr. Henry Thiagaraj is the recipient of the National Ambedkar Award for 1994 of the Bharathiya Dalit Sahitya Academy, New Delhi, for his distinguished service to the Dalit Community. He was in Tamil Nadu Government service for 20 years, excelling in different positions, in Public Relations, Education and Tourism.

The immense experience Mr. Thiagaraj has gained as an Interne in UN Department of Public Information in New York and as young Chairman of Madras Christian College Christian

*Contd...*







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# **HUMAN RIGHTS FROM THE DALIT PERSPECTIVE**

**Edited by  
Henry Thiagaraj**

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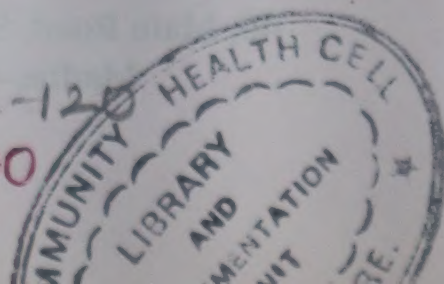


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# INTRODUCTION

## MY LIFE JOURNEY WITH HUMAN RIGHTS FROM MADRAS TO NEWYORK

It is a rare privilege in my life that I was selected by the United Nations to be a Graduate Student Interne at the United Nations' head quarters in New York to observe its work in 1958. An extension of the fellowship enabled me to observe the work of the Human Rights Commission and to become familiar with some members of the Commission. This experience left an indelible imprint in my young mind that when I returned to India and observed the plight of the Dalits the question always raised in my mind was: why not the UN Human rights Commission tackle our Dalit problems of discrimination. After I took my early retirement from the State Government in 1982 I had the opportunity to visit United Nations as a member of the World Association of Former UN Internes and Fellows and participate in the NGO consultations and Conferences on Development. An opportunity came to me to discuss the problems of the Dalits. Many of the leaders consider the atrocities on Dalits as a local problem. The Government always considers it as a local community law and order issue under domain of State Governments. People always discouraged me not to talk about internationalising it. But the truth is any violation of Human Rights becomes international by its very nature.

So when we had an opportunity to celebrate the 40th anniversary of the Universal Declaration of the Human Rights we sought the assistance of Mr.M.R.Krishna, Former



Union Minister for its celebrations at Delhi. I remember that Mr.M.R.Krishna took me to the home of Mr.I.K.Gujral, who just then returned from his ambassadorial assignment and talked to us. He was very encouraging that we should celebrate the 40th anniversary of the UN Universal Declaration of the Human rights with a Seminar on the Dalit issues. Justice A.Varadarajan delivered the inaugural address of the Seminar which is fully reproduced here.

After four years as a Managing Trustee of the Dalit Liberation Education Trust I received an invitation to participate in the World Conference on Human Rights held on 10 June 1993 at Vienna. I am giving a report on our participation elsewhere in this book. One of the happy experiences is that as members of the Indian NGO groups we discussed openly the problems of Dalits whom we represented. A few people came openly for our support. Dr.R.M.Pal, Editor of PUCL Bulletin is one of the first persons who shared their concerns on Dalits and supported us. He provided an introduction for me to meet Shri.Justice Rajendra Sachar then the President of PUCL who encouraged us to organise a Seminar in Madras in 1993. A brief report of the Workshop can be seen in this book.

I am also publishing paper presented by Dr.K.Wilson, Emeritus Professor of Philosophy of Osmania University. I acknowledge with thanks, the personal encouragement given to me by Dr.K.Wilson when I struggled alone. His talks were refreshing and inspiring. I also thank Bishop M.Azariah of Madras for his wholehearted support to my work related to Dalit liberation.

Since 1993 our Trust had associated with PUCL and with the National Human Rights Commission, Delhi. The



The Rule laid down by the Hindu Law giver Manu is that there are only four varnas of Hindus and that there is not to be a fifth varna. The four varnas are: 1. Brahmins, 2. Kshatriyas, 3. Vysias and 4. Sudras. The Brahmins are said to have been born out of the forehead or mouth of God, the Kshatriyas out of the shoulder, the Vysias out of the abdomen or thigh and the Sudras out of the feet.

According to sage Brighu, Brahma created only Brahmins and the other sections of the Hindus, namely, Kshatriyas, Vysias and Sudras came into existence on the basis of the extent to which the Original Brahmins deviated from the principles to be observed by them. Gandhiji and others in their campaign against untouchability contended that the untouchables and the Schedule Tribes fall under the fourth category, namely Sudras on the basis of Manu's statement that there shall be only four varnas and there is not to be a fifth one. Dr. Ambedkar has pointed out that this theory is not acceptable because Manu speaks of untouchables as Varna Bahayas, which means those out-side the varna system. The four classes of Hindus are called Savarnas while those outside the four classes like the untouchables are called Avarnas. Manu has stated in his smriti that the dwelling of the Chandalas - Shapakas shall be outside the Village, that they must be made apapratras and their wealth shall be dogs and donkeys, their dress shall be garments of the dead, they shall eat their food in broken dishes, and black iron shall be their ornaments. They must wander from place to place, and they shall not sleep in Villages and towns at nights. It is well known that in villages the untouchables live in separate localities variously called as cheris, colonies, etc. while the other Caste Hindus live in the main village. It cannot be denied that the untouchables are not part of the Hindu Society and they must remain separate and segregated.



The first general census in India was taken in 1881. Thereafter, there were census operations once in 10 years. In 1911 the Census Commissioner laid down 10 tests for ascertaining the total population of the untouchables Scheduled Castes and Scheduled Tribes. They were those who:

1. denied the supremacy of Brahmins;
2. did not receive the mantras from any brahmin or other recognized Hindu Guru;
3. denied the authority of the vedas;
4. do not worship Hindu gods;
5. were not served by good Brahmins;
6. have no Brahmin priests;
7. have no access to the interior of ordinary Hindu temples;
8. cause pollution;
9. bury their dead and
10. eat beef and do not reverence the cow.

Efforts were made in the subsequent census operations also to ascertain the population of the untouchables in British India. The Simon Commission, which came to India in 1930 stated that the Population of untouchables was 44.5 millions. When the Lothian Committee came in 1932, the Hindus refused to accept the figures given by the Simon Commission and they even denied the very existence of untouchables in some provinces realizing the danger of admitting their existence and giving up representation enjoyed by the Hindus to the untouchables. In 1931, the Census Commissioner stated that the population of the untouchables was 53 millions, and it was contended that it must be between 55 and 60 millions.

There was slavery in ancient Rome and America. The laws of slavery permitted emancipation. Once a slave always



a slave was not the fate of the slave. But in untouchability, there is no escape. Once an untouchable always an untouchable has been the position. To tell the untouchable "you are free, you are a citizen; you have all the rights of citizen" and to tighten the rope in such a manner as to leave him no opportunity to realise the ideal is cruel deception. Of the two orders, untouchability and slavery, untouchability is beyond doubt the worst.

The master of the Romen Slave or the American Negro took much trouble to train the slave and initiate him to higher forms of labour and culture. It was undoubtedly with motive of gain, for a skilled slave as an item was more valuable than an unskilled one and if sold he would fetch a better price and if hired he would bring in more wages than an unskilled one. That has not been the case of untouchables, who are kept in a low level without any initiation into the finer things. In the competition with the scales always weighing against him by reason of his social stigma the untouchable is the last to be employed, and the first to be fired or removed from employment.

By now the problems faced and the indignities suffered by the untouchables and Scheduled Tribes have been repeated from several platforms and are more or less well-known. So it is not necessary to make any detailed reference to them here except to cite a few instances.

There have been several agitations and Satyagrahas against the practice of untouchability. The right to wear any kind of dress and ornaments are some of the rights which the British Indian Law gave to untouchables along with the rest, along with the right to use public utilities, such as, wells, schools, trams, railways, public offices, etc. The untouchables agitated by petitions and protests prior to 1920 and by direct action from about 1920. Satyagraha was organized in 1923



against denial of the right to take water from Chavdar tank situate in Mahad Town of Kolaba District in the Old Bombay Presidency and the Vaikkam struggle in the Travancore State in 1924 which was for vindicating the right of use public roads which skirted the temple at Vaikkam. The Mahad satyagraha ended in favour of the untouchables by a Court verdict in the Bombay High Court which confirmed the decision of the Sub Judge, Mahad in Suit No.405/1927. Manusmriti was burnt at Mahad on 20.12.1927 as part of the Chowdar tank agitation. Gandhiji condemned the Mahad Satyagraha by the untouchables against caste Hindus, while he preached that civil disobedience was a weapon, which could legitimately be used by Hindus against the British for securing their freedom. Curiously, Gandhiji argued that untouchability was a sin of the Hindus and it is they who should do penance and offer satyagraha for the removal of untouchability and that Satyagraha was not the business of the untouchables because they were not the sinners but far from being sinners they were the sinned against. The untouchables replied that if that was so British must be asked to offer satyagraha and not the Hindus as the British imperialism was a sin of the British and not of the Hindus. Curiously Gandhiji was in favour of the Vaikom Satyagraha carried on under the auspicious of the political party to which he belonged and he blessed and encouraged it. The discrimination and atrocities against untouchables and the Scheduled Tribes continue unabated.

India became independent in 1947. Before the grant of independence, the British Government wanted to settle the problems of the untouchable Scheduled Castes and Scheduled Tribes and also of the Muslims. These sections of the Indian population wanted separate electorates in the future



parliament and legislative bodies. This demand for separate electorate was opposed by the caste Hindus. There were Round Table Conferences in London in connection with this problem, but as there was no agreement between those sections of the population and the caste Hindus, the British Prime Minister offered to give his own award on the question, provided that all the parties concerned agreed in writing to be wholly bound by the award. It is a matter of history that the parties including Gandhiji accepted that offer and undertook in writing to abide by the award. Unfortunately Gandhiji went back on that undertaking after the award for granting of separate electorate and separate representation to the Scheduled Castes and Scheduled Tribes was given by the British Prime Minister and he resorted to a fast unto death demanding the withdrawal of the award so far as the Scheduled Castes and Scheduled Tribes are concerned, though he had no objection to the grant of separate electorate to the Muslims and certain other bodies. Dr. Ambedkar, who along with Dewan Bahadur Retta Malai Srinivasan represented the Scheduled Castes and Scheduled Tribes as their nominee in the Round Table Conferences was made to give up this demand of separate electorates to the Scheduled Castes and Scheduled Tribes and to be satisfied with the Joint Electorates as Gandhiji's life was otherwise in danger. Thus came the Poona Pact in 1932.

Dr. Ambedkar knew very well and the Scheduled Castes and Scheduled Tribes People could see from the way their representatives chosen by the Joint Electorate function in Parliament and in Legislative Assemblies in the Country that they do not really represent their interests in those forums,. Rao Bahadur M.C. Rajah, who was originally a party to the demand for separate electorate to the Scheduled Castes



and Scheduled Tribes, later came under the influence of Dr. Moonje of the Hindu Maha Sabha and began to contend that the grant of separate electorate to the Scheduled Castes and Scheduled Tribes would be harmful to them and he campaigned for the grant of the joint electorate. It would suffice to give one instance of how joint electorate works. Rao Bahadur Rajah has stated in his letter dated 25.8.1983 to Gandhiji, thus:

“The Congress party men in Madras representing the caste Hindus deviated from the pact so much, so that our own community in the Legislative Assembly have to follow the caste Hindus blindly in every measure the Ministry may bring and vote with them even in matters which deeply affect the interest of the community. The recent debate on the Temple Entry Bill in the Madras Legislative Assembly has exposed the ugly fact that all the Depressed Class Members driven by the discipline of the Congress Party in the Assembly voted solidly against the Motion for referring the Bill to a Select Committee. Could anything more unnatural and more humiliating proving, as it did, the subjugation of my community by the Caste Hindus represented by Mr. Rajagopalachariar, ... who stood up and opposed the Bill and requested me to withdraw it, saying he will introduce another Bill only from Malabar and not for the other Districts. The effects of Mr. Rajagopalachariar's speech was to defeat my Motion with my own community men registering their votes against a measure introduced to secure their social and religious elevation”.



Rajah has stated in his subsequent Letter dated 21.9.1938 to Gandhiji:

“So the question of our being in the joint electorate with caste Hindus and the attitude of the Congress Ministry towards the raising of the Social and religious status of our community are mutually and vitally connected. If we are not free to enter into Hindu Temples, we are no Hindus, and if we are not Hindus, why should we have a joint electorate with them? Is it for swelling their numbers as against Muslims and other communities?”

Gandhiji has stated in reply dated 5.10.1938 to Rajah:

“The temple entry question is a mighty religious problem. I would like you to apply your religious mind to it. If you will, you will give your whole hearted support to Rajaji and make his move a thorough Success”

Now a very large percentage of the Scheduled Castes and Scheduled Tribes feel that nothing could be lost by the deletion of Articles 330 and 332 in the Constitution of India, which grant separate representation by joint electorate. Gandhiji said before the Poona Pact was signed in 1932 that the superior class of Caste Hindus have to do penance for having neglected the untouchables for ages and that it can be done by active social reforms by making the lot of the untouchables more bearable by acts of services. In the Second Round Table Conference, - he did not participate in the First Round Table Conference - he contended that the Hindus had seriously taken up the cause of the untouchables and therefore there is no need to give them political safeguards. Now more than 60 years have passed after the Poona Pact was



signed and the miracle which Gandhiji thought would happen has not happened and the degradation and very poor economic and social condition of the Scheduled Castes and Scheduled Tribes remains mostly unchanged.

The Constitution of India provides for reservation of the Scheduled Castes and Scheduled Tribes in Government Employment in Articles 16(4) and 335. Every-body knows about the extent to which these communities have benefited by these constitutional provisions. It is negligible. There is no reservation in matters relating to science and technology, with the result that these people are not represented at all in those fields. There are 512 posts of High Court Judges in the Country, but there are only 13 Scheduled Castes Judges and 7 Scheduled Tribes Judges. There are 26 posts of Supreme Court Judges and we have only one Scheduled Caste Judge and no Scheduled Tribes Judge at all. These 13 Scheduled Castes Judges are only in Six High Courts out of 18 High Courts in the Country. The Scheduled Tribes Judges are only in four of the High Courts. These people are not represented at all in the other High Courts. The representation of these people in Class I and Class II Posts inclusive of the Secretariats of the President and Prime Minister is far below, the percentage of these People compared to the total population of the Country. The position in the services in the States is not in any way the better. This State of affairs exists mainly due to the antipathy of the Caste Hindu officials, who alone are mainly entrusted with the implementation of the Constitutional provisions and safeguards.

It may not be out of place here to mention that when the agitation of some misguided people was going on against the implementation of the Mandal Commission's recommendations for the grant of 27% reservation in the

Central Services to the Backward Classes, the Class I Officers in the Capital of the Country went to the extent of passing a Resolution urging the removal of the reservation provided to the Scheduled Castes and Scheduled Tribes, thus proclaiming to the world their antipathy to these classes of people. The representation of these people in business and industry is very very negligible.

The Constitution provides for compulsory primary education. But in 1985, it was stated by the Government in the Rajya Sabha that illiteracy was 78.62 percent in the case of Scheduled Castes and 81.65 percent in the case of Scheduled Tribes in the Country. In Tamil Nadu it was 71.33 percent amongst the Scheduled Castes and 79.55 percent amongst the Scheduled Tribes. This admission of the Government of India shows to what extent Articles 45 and 46 providing for compulsory Primary Education have been implemented over the last 40 years.

Article 17 of the Constitution says that untouchability is abolished. The Protection of Civil Rights Act has been passed by the Parliament in 1955. But untouchability is practiced even now in the villages and towns and even in the National Capital City, Delhi. Whenever clashes occur between Caste Hindus and the Scheduled Castes in regard to taking water from taps and wells provided by the Governments, instead of taking proper action against the erring caste Hindus, the officials provide separate taps and wells to the oppressed untouchables leading to their further segregation. Separate Schools and hostels are provided to the children belonging to the Scheduled Castes and Scheduled Tribes by the Governments. This results in segregation of these children from the children belonging to the other communities. The Scheduled Castes and Tribes people have been forced in the



past to live in segregated colonies far away from the caste Hindu localities. The position continues to be the same even now. The small houses provided by the Governments to the Scheduled Castes and Scheduled Tribes people are located in segregated areas far away from the residential areas of caste Hindus resulting in segregation being practiced even at the instance of the Governments. There are even separate burial grounds for these people. The position is that the untouchables remain segregated from birth to death.

The Universal Declaration of Human Rights was proclaimed in 1948. The first two Articles of the Declaration emphasize that all human beings without distinction are born free and equal in dignity and rights. Those two Articles set out the basic principles of Equity and non-discrimination in the enjoyment of the Human Rights and Fundamental Freedoms. The next 19 Articles relate to the Civil and Political Rights to which all Human beings are entitled. The International Covenants of Human Rights are treaties whose states parties have formally agreed to abide by the provisions and to undertake to respect, ensure and take steps for the full achievement of a wide range of rights. There are two such International Covenants: They are: the International Covenant of Civil and Political Rights and the International Covenant on the Economic, Social and Cultural Rights. These two Covenants were adopted by the General Assembly in December, 1966. They came into force in 1976. The Optional Protocol, which is an adjunct instrument to the Covenants also came into force simultaneously in 1976. The States acceding to the Optional Protocol empower the Human Rights Committee to receive complaints from individuals, who allege violation of their Human Rights. By October 1987, India and 86 other Countries became parties to both the

Covenants and 39 States became parties to the Optional Protocol, but not India. India refused to become a Party to the Optional Protocol contending that acceptance there of would result in foreign intervention with its sovereignty.

According to Sumantha Banarji, Human Rights violations take two forms in India. They are (1) Direct Violation by the State as cited in the Amnesty International Reports and (2) State's indifference to such violations. The problems of the untouchables in India are not India's internal problems, but are undoubtedly international problems. Apartheid was practised by the South African Government under Law. The General Assembly of the United Nations and the Security Council had declared Apartheid as being incombatale with the United Nations Charter and termed that policy of the South African Government as a crime against humanity and called upon all the states to take appropriate action to end it. India also raised the South African Apartheid issue in the World Forums and observed 1978-79 as Anti-Apartheid Year. Fortunately, Apartheid has ended in South Africa and the South African Blacks are getting equal political and other rights with the White South Africans. It cannot be contended that untouchability in India cannot be equated with Apartheid in South Africa merely because Article 17 of the Constitution of India says that untouchability is abolished and the Civil Rights Protection Act has been passed in 1955. The abolition of untouchability by Article 17 is merely a paper of abolition. The position is the same though Apartheid was practised under law in South Africa and untouchability continues to be practised in India inspite of the Laws against it.

These provisions are not seriously enforced. The untouchables in India have by now come to know their rights and are no longer prepared to bear their sufferings and



undignities any more. The Youth of these class of people have awakened and are trying to and bent upon asserting their rights. This has no doubt resulted in increased violence against these people. The Scheduled Castes and Scheduled Tribes cannot continue in the present state of suppression and degradation, which may undoubtedly need to great turmoil sooner or later. The Central and State Governments should therefore rise and take real, active and abiding interest in the up-lift of these classes of people and stop the cruelty and hardship which are caused day in and day out in one or other part of the Country.

Though the United Nations Organisation cannot force Government to change their policies and practises and pursuation is the only tool available for bringing about improvement in the observation Human Rights, the General Assembly, the Trusteeship Council, the International Court of Justice and the Economic and Social Council deal with Human Rights questions in one way or another.

Now a Human Rights Commission has been constituted in India under an ordinance and a revised Bill is to be introduced in Parliament in the present Winter Session. It is hoped that the machinery to be constituted will be more effective than what has been achieved till now under Article 17 of the Constitution and the protection of Civil Rights 1955 and other relevant provisions. Unfortunately, the body which has since been constituted does not contain any representation of these sections of the population in this Country namely the Scheduled Castes and the Scheduled Tribes who form a vast majority of those who are subjected to Human Rights Violations in the Country. These people will watch keenly how the Committee is going to deal with their Human Rights violations.

On this day following the 45th Anniversary of the Proclamation of the Universal Declaration of Human Rights by the General Assembly of the United Nations Organisation, I on behalf of untouchables Scheduled Castes and Scheduled Tribes people of India express my gratitude for the yeoman services being rendered by the Organisation for putting an end to Human Rights violations all the World over and wish the Organisation every success in its endeavour. I urge the Scheduled Castes and Scheduled Tribes People and other weaker sections in the Country to be vigilant and protest strongly against any Human Rights violation to which they may be subjected and agitate for their rights in a united and concerted manner.

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*Justice A. Varadarajan was the first Dalit Judge in the Madras High Court and in the Supreme Court.*



# THE CASTE SYSTEM AND HUMAN RIGHTS VIOLATION

DR. R.M.PAL

**F**riends, it is no mere formality when I say that I consider myself highly honoured to be speaking on this occasion, and on a subject about which you have more knowledge. I thank you all, especially justice Varadarajan, Bishop Azariah and Mr. Thiagaraj for this great mark of kindness and approbation. I am all the more honoured that I have been asked to speak under the auspices of Human Rights Education Movement of India and Dalit Liberation Education Trust.

Let me get into the subject of my talk without much ado. There is now a general acceptance of the 1948 Statement Universal Declaration of Human Rights, adopted by the UN General Assembly" as a common standard of achievement for all peoples and all nations". That human rights include civil and political rights, as also economic, social and cultural rights is clear from the subsequently adopted two international Covenants(legally binding on those countries who have become a party to these Covenants)— The International Covenant on Economic, Social and Cultural Rights, and The International Covenant on Civil and Political Rights.

The very first two Articles of the 1948 Declaration make it clear that freedom, equality and fraternity are the very basis of human rights. According to Article I, "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood". According to Article 2, "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status..." It is therefore clear that any system—social, political, religious—which is in contradiction with the values set forth in the Declaration, violates human rights.

It is in this context that we may examine the caste system which has Sanctioned indignities to be heaped on a section—a very large section indeed—of our population, with a view to pointing out how the system is in contradiction with what the Declaration and other Covenants state. It is not possible to go into a detailed examination of the system because of constraint of time. In any case to a gathering like this it is hardly necessary to enumerate in details. I'd however mention the main characteristics of the system, as divinely sanctioned in the Gita; and also in the Manusmriti. Lord Krishna tells Arjuna(I quote) The works of Brahmins, Kshatriyas, Vaishyas and Shudras are different....The work of the Shudra is service. They all attain perfection when they find joy in their work....Greater in thine own work, even if this be humble, then the work of another, even if this be great. When a man does the work God gives him, no sin can touch this man. And a man should not abandon his work....Because thou art in the bondage of Karma, of the forces of thine own past life; and that which thou, in thy delusion, with a good



will does not want to do, unwillingly thou shall have to do(unquote). Our society is thus based on this hierarchical order in which social hierarchy is determined by birth—under divine sanction.(I should however add at once that social hierarchies and occupation based on heredity exist in other societies also, but this divinely sanctioned one is exclusively ours).

We all know about the intellectual and moral support that has been given to the caste system by the doctrine of varna-vyavastha. There have been any number of sophisticated commentaries by scholars and social analysts who have asserted that the system has served very useful purpose in India. In fact, you cannot be a scholar if you take the ground realities into account! In any case I haven't come here to reply to arguments which rationalise the irrational. However, go a little deep, and you won't fail to observe that most of our scholars, both ancient and modern, have almost always practiced the art—Successfully—of rationalising the irrational— in fact the modern have practiced this art with a vengeance.

Let us now have a quick look at what our recognised law-giver Manu has prescribed for us: Brahma created the Brahmin, the Kshatriya, the Vaishya and the Shudra from his mouth, his arms, his thighs, and his feet respectively; and this Brahma did “for the sake of the prosperity of the world”. He assigned separate duties and occupations to them, and that too Brahma did to “protect” this universe. The first three were created for teaching, protecting, citizens, trading lending money on interest, etc.; and the Shudras were created by Brahma for serving the first three varnas without being critical of them. Shudras( and also women belonging to all varnas) are not allowed to study. The Dalits are described as

varna-sankara born out of the intermixture of the “pure” varnas). They are outside the system—they are the outcasts.

I have already referred to Article 1 of the Universal Declaration (i.e. all human beings are born free and equal in dignity and rights), and plainly and simply our caste system is inconsistent with the provisions of the Article, for our system gives different status to different persons on the basis of birth; some are treated as untouchables. Denial of education to some people including women violates Article 26(1), according to which, “everyone has the right to education...”. Our system requires a person to join the occupation of the caste to which he is born, and this violates Articles 23(1) which states, Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and protection against unemployment:. Compulsion of marriage within the caste alone is violative of Article 16(1), which says, “Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during the marriage and at its dissolution”. Our system does not permit certain sections of the people including women to enter temples, to learn Sanskrit, to read religious books, to be priests, and this goes against Article 18 which prescribes, “Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and public or private, to manifest his religion or belief in teaching, practice, worship and observance”. Some people (Dalits) are forced to live in the outskirts of villages and this violates Article 13(1) which states that “Everyone has the rights to freedom of movement and residence within the borders of each state”. There are a number of other



prescriptions which one could quote, and which are violative of human rights as enunciated in the Universal Declaration: denial of right to vote violates Article 4. (A begdar, i.e. labourer, generally of lower caste, according to Manusmriti, is obliged to work without payment; if a Brahmin forces a twice-born to work for him, he is to be punished, but if a Brahmin forces a Shudra to work for him, on payment or without payment, he is not to be punished; penance for a Brahmin for killing an animal or a shudra is the same; in fact the killing of a cow is more heinous than killing a shudra).

Apart from these direct violations, there are also other violations which are indirectly related to cast system, such as torture, rape and death in custody. Civil liberties and HR groups have published any number of reports about such cruelties. Those of you who read the PUCL Bulletin would know that different units of PUCL have investigated into a large number of incidents of violence against Dalits and adivasis and have given detailed accounts of how they have been frequently tortured and raped, and killed in custody, by police and others in collusion with police. Many of you perhaps know that even today there are many places in the country where a Dalit girl is obliged to sleep with the village landlord on the first night of her wedding.

Now, we are told that the system does not exist anymore or has started disappearing. Well, I don't know; in any case, I'm not sure that caste identities have disappeared even from metropolitan cities, not to speak of the rest of the country. There is no limit in our country to holding up a fiction to obscure facts. Let us refresh our memory— our memory is very short, and that too conveniently— about what happened in north India during the anti-reservation stir? In Delhi University, where the anti-reservation stir started, it was

impossible to remind people that a coin has two sides. Even the Vice-Chancellor who always likes to be known as a human rights activist spoke in a language of “either or neither nor” and desired the faculties to give their opinion on the subject, even though he was not called upon by anyone to do so. Anyone who was for Mandal was not allowed to speak in any meeting; even invited speakers were turned out from a meeting in Delhi School of Economics which is known as the citadel of Marxism. The Delhi University Teachers’ Association took up Mandal on trade union level and waged a regular warfare. During my long association with the University I’m unable to recollect any other occasion when the teachers’ body ever took up similar issues. In a meeting of the Academic Council of the University, to discuss an item on reservation for SC\ST candidates, some faculty members received thunderous applause when they declared that “Mother goddess Saraswati’s clothes will be desecrated” if SC\ST candidates became teachers. Many of the banners put up in colleges in Delhi, mostly by women students in women’s colleges, expressed their fear that if Mandal were introduced they’d be compelled to marry SC\ST boys. Even some radical humanist colleagues of the well-known activist Mr. Tarkunde, and communists and Marxists— quite a few of them my colleagues— maddently upset, if not wild, and became the best examples of how thoughtful people could think so thoughtlessly. Many life-long friends have now stopped being on even speaking terms! does anybody really believe that the stir was against reservation? Everyone knows that the stir was engineered by the upper castes to maintain the status quo; they would fight back any movement and struggle for human rights and social justice by the depressed. They made it known that it is insult to their person if they saw any SC\ST



walk with their heads erect on their shoulders. The north Indian middle class (Rajni Kothari calls this class "lumpenised") felt threatened, not because they would be deprived of jobs, but because their caste identities were at stake. The "lumpenised" class made it clear that those who do not belong to the twice-born castes must respectfully submit to the norms that have been prescribed by our ancient law-makers and holy scriptures. And yet, look at the hypocrisy—no political party was opposed to reservation, and yet they lent their support to it; in fact some of the parties funded the stir! You should have been in Delhi to see what happened on the day when V.P.Singh resigned—Diwali was celebrated that night—throughout the night; it is nobody's concern that none could sleep that night. 19% of the population had waged a war and won the battle; social justice and human rights paled into insignificance.

The real issue relates to the institution of caste which has been a stumbling block for social justice and human rights; and a clear acknowledgement of the fact that every human being given favourable conditions is capable of developing unlimited powers of intellect and will, and that those conditions have not yet been created for those who deserve them the most.

We have any number of do-gooders amongst us. They would have us believe that since the Constitution has abolished untouchability and has made special provisions for the uplift of SC\STs, and now for OBCs, there is nothing more that needs to be done. Rapid increase of crimes committed against Dalits however tell a different story which unfortunately not many of our countrymen, not even human rights groups, are willing to take note of. Some do-gooders when confronted with this fact suggest that if there are more judges from

amongst SC\STs things would be alright. Yet others like Swami Agnivesh have prescribed that SC\STs must be given arms to teach a lesson to the upper castes and the evils of the system, but not the system, will disappear! and the system must not be disturbed. I don't know of many do-gooders who are prepared to look beyond the constitutional provisions (which has not yet made any dent) and look at the system with a view to dismantling it. There are some liberals Gandhians with many of whom I hope to work, and quite a few of them are my friends who follow the Christian dictum, namely that, a gentleman is one who does not inflict pain on others. Yes, they don't inflict pain on SC\STs, indeed they are ashamed of the fact that this kind of discrimination exists in our society. These well intentioned people who cherish two values of democracy suggest that there should be a vigorous reformist movement, along with constitutional provisions, to do away with the system. But the sad story is that until now, all attempts to reform the Brahmanical religion, including religious and social reformist movements, have failed. Buddha tried and appeared to succeed but only to be "expelled" from the country. Nanak, Kabir and Chaitanya also made brave attempts—the results are for all to see. During the British regime, a number of reformists fought relentlessly. And yet, no less a man than Ishwar Chandra Vidyasagar at one stage, while fighting the cause of widow-remarriage, got so exasperated by the cunning arguments put forward by Sanskrit scholars and Pandits against widow-remarriage, that Vidyasagar felt constrained to exclaim in utter disgust: (I quote) "In a country where men have no sensitivity, let not unfortunate woman be born there. Oh, women, what sin have you committed that you should have been born in India!"(unquote). It is also painful to add that Mahatma



Gandhi's valiant efforts and life-long struggle came to nothing—and it is sad indeed. All these liberals wanted to see an end to this cruel discrimination that exist in our society, but without touching the basic structure of the system.

How can one think of remedying the situation without questioning the very authority that has sanctioned this impregnable wall?

The absence of sensitivity and concern for human rights and social justice are contradictions in terms to which I have referred in relation to some of the Articles of the Universal Declaration. Let us not pretend that the system has vanished from our society. We must accept the ground reality, namely that, even though the Indian constitution is not based on the Manusmriti and the Gita, and has abolished untouchability and has made provisions for equality before law, the impregnable walls built by the system remain. The constitution has merely prescribed, but has not given any description of the ground reality. We can make a dent only if we recognise the fact that the caste system is a major source, indeed an obnoxious one, of human rights violations. I for one feel sad that even this recognition is not there, not even amongst many liberals and human rights activists. I feel our activists must pay adequate attention to this aspect of our society, so that the objectives of the Universal Declaration, to celebrate which we have assembled here, become, realizable goal. Constitutional provisions are of course important, but without a philosophical revolution which will ensure uprooting of the system, a change for the better does not appear to be attainable.

One last word, I suppose we could do with a little less arrogance and also a little less hypocrisy-arrogance manifested by the "divine" twice -born; and hypocrisy in all two parties'

hailing Dr. Ambedkar and “owning” him (for reasons which I need hardly elaborate) and yet not saying a word about eradicating the “divine system” with a view to bringing about a society where social justice will be realised, when all persons, at last when they are born, will be equal.

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# LEAVES FROM THE HUMAN RIGHTS CONFERENCE HELD AT VIENNA IN 1993

(EXCERPTS FROM U.N. PUBLICATIONS)

## 1. WE ARE SINGLE HUMAN COMMUNITY THROUGH HUMAN RIGHTS

**BOUTROS - BOUTROS GHALI**



*At the opening of the World Conference on Human Rights held at Vienna, on the 14th of June '93, The Secretary General of the U.N. Mr. Boutros - Boutros Ghali, made an appeal statement. Hereunder is reproduced the text of his statement.*

**T**he World Conference on Human Rights is being convened today at Vienna marks on of those rare, defining moments when the

**BOUTROS GHALI** entire community of States finds itself under the gaze of the World!

It is the gaze of the billions of men and women who yearn to recognize themselves in the discussion that we shall be taking in their name. It is the gaze of all those men and women who, even now, are suffering in body and spirit because their human dignity is not recognized, or is being flouted. It is the gaze of history, as we meet at this crucial juncture!

When in 1989 the United Nations general Assembly requested the Secretary-General to seek the views of governments and the organizations concerned on the desirability of convening a world conference on human rights, it was demonstrating remarkable historical intuition.

Two months earlier, the Berlin Wall had fallen, carrying away with it a certain vision of the world, and thereby opening up new perspectives. It was in the name of freedom, democracy and human rights that entire peoples were speaking out. Their determination, their abnegation — sometimes their sacrifices — reflected then, and still reflect, their commitment to do away with alienation and totalitarianism.-

\* Revised to reflect changes in the French text as delivered.

Thus preparations for today's Conference have gone hand-in-hand with an impressive acceleration of the course of history.

That conjunction of events must not be seen as pure chance or mere coincidence. It is always when the world is undergoing a metamorphosis, when certainties are collapsing, when the lines are becoming blurred, that there is greatest resource to fundamental reference points, that the quest for ethics becomes more urgent, that the will to achieve self-understanding becomes imperative.

It is therefore natural that the international community should today feel the need to focus on its own values and, reflecting on its history, ask itself what constitutes its innermost identity — in other words, ask question about humanity and about how, by protecting humanity, it protects itself.

The goals of the Conference faithfully reflect the following key questions:



What progress has been made in the field of human rights since the Universal Declaration of 1948?

What are the obstacles and how are they to be overcome?

How can implementation of the human rights instruments be enhanced?

How effective are the methods and mechanisms established by the United Nations?

What financial resources should be allocated for United Nations action to promote human rights?

And, at a deeper level, what are the links between the goals pursued by the United Nations and human rights, including the link between development and the enjoyment of economic, social, cultural, civil and political rights?

These are universal questions, but there is no single answer to any of them. While human rights are common to all members of the international community, and each member of that community recognizes himself in them, each cultural epoch has its own special way of helping in them. In this connection, a debt of thanks is owed to Member States which, at the regional level, have reminded others of this reality.

Yet this reminder must be a source of positive reflection, not of sterile misunderstanding. Indeed human rights, viewed at the universal level, bring us face-to-face with the most challenging dialectical conflict ever: between "identity" and "otherness", between the "myself" and "others". They teach us in a direct, straightforward manner that we are at the same time identical and different.

Thus the human rights that we proclaim and seek to safeguard can be brought only if we transcend ourselves, only if we make a conscious effort to find our common essence beyond our apparent divisions, our temporary differences, our ideological and cultural barriers.

In sum, what I mean to say, with all solemnity, is that the human rights we are about to discuss here at Vienna are not the lowest common denominator among all the nations, but rather what I should like to describe as the “irreducible human element”, in other words, the quit essential values through which we affirm together that we are a single human community!

I do not want to underestimate the nature of our undertaking. Yet in such an area, this is no time to seek cautions, compromise or approximate solutions, to be content with soothing declarations, or, worse still, to become bogged down in verbal battles. On the contrary, we must ascend to a conception of human rights that would make such rights truly universal!

There lies the challenge of our endeavor; there lies our work; there stands or falls this conference in future evaluations.

An awareness of the complexities of the debate is the first step towards developing a method of debate. We should be under no illusion: a debate on human rights involves complex issues. Human rights should be viewed not only as the absolute yardstick which they are, but also as a synthesis resulting from a long historical process.

As an absolute yardstick, human rights constitute the common language of humanity. Adopting this language allows all peoples to understand others and to be the authors of their own history. Human rights, definition, are the ultimate norm of all political.

As an historical synthesis, human rights are, in their essence, in constant movement. By that I mean that human rights have a dual nature. They should express absolute timeless injunctions, yet simultaneously reflect a moment in the development of history. Human rights are both absolute and historically defined.



The reason I began with these statements of principles — at the risk of appearing very abstract — is that I am convinced that there will be no appropriate solutions to any of the issues that we shall be considering in the coming days, even the most technical, unless we bear in mind the fundamental dialectical conflict between the universal and the particular, between identity and difference.

What makes our tasks especially urgent is the fact that with the development of communications, every day the whole world is called to witness the free enjoyment — or the violation — of human rights.

Not a day goes by without scenes of warfare or famine, arbitrary arrest, torture, rape, murder, expulsion, transfers of population, and ethnic cleansing. Not a day goes by without reports of attacks on the most fundamental freedoms. Not a day goes by without reminders of racism and the crimes it spawns, intolerance and the excesses it breeds, underdevelopment and the ravages it causes!

And what confronts those men, women and children who are suffering and dying is a reality that is more unbearable than ever; we are all similar, yet history emphasizes our differences and separates us on all sorts of grounds: political, economic, social and cultural.

We have indeed learned that it is possible to view differences as such with respect as sources of mental enrichment; yet when differences become synonymous with inequalities, they cannot but be perceived as unjust. Today, all peoples and all nations share these feelings. That fact in itself is a step forward in the conscience of humanity.

The more so since to move from identifying inequality to rebelling against injustice is only possible in the context of a universal affirmation of the idea of human rights. Ultimately,

it is this idea which allows us to move from ethical to legal considerations, and to impose value judgments and juridical norms on human activity.

Let us not delude ourselves, however! Because judgments are based on this scale of constraints and values, it is also part of the power stakes. No doubt this is why some States seek— often and by various means — to appropriate human rights for their own benefits, even turning them into an instrument of national policy. There is no denying that some States constantly try to hijack or confiscate human rights.

Of course, in saying this, i do not mean to point a finger at any member of the international community. I only want to stress that human rights, in their very expression, reflect a power relationship.

Let us be clear about this! Human rights are closely related to the way in which States consider them; in other words, to the ways in which states govern their people; in yet other words, to level of democracy in their political regimes!

If we bear all these problems in mind, i am positive that we shall avert the dual danger lurking ahead of us at the outset of this Conference: the danger of a cynical approach according to which the international dimension of human rights is nothing more than an ideological cover for the realpolitik of States; and the danger of a native approach according to which human rights would be the expression of universally shared values towards which all the members of the international community would naturally aspire.

Theses considerations should remain present in our minds throughout our discussions, so that we might be bold in our proposals and firm in our principles.

In this regard, i should like to issue a solemn call: that this Conference should measure up to the subject matter and



that it should be guided by a threefold requirement, which I shall refer to as “the three imperatives of the Vienna Conference”: universality, guarantees, democratization.

Secondly, there is the imperative of guarantees. Every day we see how discredited human rights and the United Nations itself would be, in the eyes of the world, if the declarations, covenants, characters, conventions and treaties that we draft in order to protect human rights remained dead letters or were constantly violated. Human rights should therefore be covered by effective mechanisms and procedures to guarantee and protect them and to provide sanctions.

Lastly, there is the imperative of democratization. In my opinion, this is essentially what is at stake as we approach the end of the century. Only democracy, within states and within the community of States, can truly guarantee human rights. It is through democracy that individual rights and collective rights, the of peoples and the rights of persons, are reconciled. It is through democracy that the rights of States and the rights of the community of states are reconciled.

It is on those three imperatives — universality, guarantees and democratization — that I should like to reflect.

The imperative of universality will undoubtedly be in evidence throughout our debated. How could it be otherwise? Universality is inherent in human rights. The Character is categorical on this score: Articles 55 States that the United Nations shall promote “universal respects for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion”. The title of the 1948 Declaration — universal, not international — reinforces this perspective.

However, this concepts of universality must also be clearly understood and accepted by everyone. It would be a contradiction in terms if this imperative of universality on which our common conception of human rights is based were to become a source of misunderstanding among us.

It must therefore be stated, in the clearest possible terms, that universality is not something that is decreed, nor is it the expression of the ideological domination of one group of States over the rest of the world.

By its nature and compassion, it is the General Assembly of the United Nations that is best equipped to express this idea of universality, and we should pay tribute to the human rights standard-setting in which it has been engaged for almost 50 years now.

As a result of its activities, the areas of protection have become increasingly precise: punishment of genocide, suppression of genocide, abolition of slavery, efforts to abolition of slavery, efforts to combat torture and elimination of all forms of discrimination based on race, sex, religion or belief. Moreover, the subjects of those rights have been more clearly defined: right of peoples; protection of refugees, stateless persons, women, children, disabled persons, persons with mental illness, prisoners, victims of enforced disappearance; protection of the rights of migrant workers and their families; and protection of indigenous people. In this connection, the General Assembly is to be commended for drafting, for drafting, as part of the activities relating to the International Year of the World's Indigenous People, a universal declaration for consideration next autumn.

The set of instruments resulting from this standard-setting by the United Nations General Assembly is now our common property. It has enough to satisfy all States, all



peoples and all culture, for the universality it affirms is that of the international community as a whole.

If we look closely at these instruments, and the World Conference on Human Rights affords an ideal opportunity to do so, we may be struck by, and justifiably proud of, the ceaseless efforts made by the General Assembly to develop on the very idea of universality.

While a general, abstract concept of human rights, born of liberal values, prevailed initially, as we can see from the text of the 1948 Universal Declaration, the input of the socialist States and the States of the third world helped broaden this initial vision. The 1966 Covenants bear witness to the broadening of our vision. They enable us to affirm, and I wish to emphasize this here, that civil and political rights and economic, social and cultural rights are equally important and worthy of attention.

We all know, however, that the General Assembly did not stop there: it expanded still further on the concept of universality by enunciating, after these collective rights, what I like to call rights of solidarity, rights which bring us back to a projected universality involving the joint action of all members of society both nationally and internationally. Since Article 1 of the Charter enunciated the right of peoples to self-determination, the general Assembly has proclaimed the right to a healthy environment, the right to ownership of the common heritage of mankind and, above all, the right to development.

I believe that this last right, in particular, shows just how modern the concept of universality is. The General Assembly went a long way towards recognizing this when, as early as 1979, it asserted that "the right to development is a human right" and that "equality of opportunity for development

is a prerogative both of nations and of individuals who make up nations”

This idea was expressed even more clearly when, in 1986, the assembly adopted a Declaration on the right to Development which states that “the human person is the central subject of development and should be the active participant and beneficiary of the right to development”. In that same instrument, the Assembly emphasizes the corresponding duties which this right imposes on States: the duty to cooperate with each other in ensuring development, the duty to formulate international development policies and, at the national level, the duty to ensure “access to basic resources, education, health services, food, housing, employment and the fair distribution of income”.

It think that this approach to the concept of universality is the right one and that it is this course that we should follow.

We must recognize that while ideological splits and economic disparities may continue to be the hallmark of our international society, they cannot interfere with the universality of human rights.

I believe that at this moment in time it is less urgent to define new rights than to persuade states to adopt existing instruments and apply them effectively.

I also believe that regional organizations have a positive role to play in making States increasingly aware of this problem. Regional action for the promotion of human rights in no way conflicts with United Nations action at the universal level— quite the opposite.

I understand the recent regional meetings on human rights as reflecting a concern to remain true to this concept of universality, no matter what serious problems or legitimate questions it may raise.



The imperative of guarantees should be the second concern of our Conference. What do human rights amount to without suitable machinery and structures to ensure their effectiveness, both internally and internationally? Here again, the Vienna conference must not lapse into unproductive debates or futile polemics. To avoid this, the Conference must go back to the very essence of human rights in international society, and to what is unique about them.

I am tempted to say that human rights, by their very nature, do away with the distinction traditionally drawn between the internal order and the international order. Human rights give rise to a new legal permeability. They should thus not be considered either from the viewpoint of absolute sovereignty or from the viewpoint of political intervention. On the contrary, it must be understood that human rights call international organizations.

In this context, the State should be the best guarantor of human rights. It is the State that the international community should principally entrust with ensuring the protection of individuals.

However, the issue of international action must be raised when States prove unworthy of this task, when they violate the fundamental principles laid down in the Charter of the United Nations, and when — far from being protectors of individuals — they become tormentors.

For us, this problem is a constant challenge, particularly since the flow of information and the effect of world public opinion make the issues in question even more pressing.

In these circumstances, the international community must take over from the states that fail to fulfill their obligations. This is a legal and institutional construction that has nothing shocking about it and does not, in my view, harm

our contemporary notion of sovereignty. For I am asking — I am asking us — whether a State has the right to expect absolute respect from the international community when it is tarnishing the noble concept of sovereignty by openly putting that concept to a use that so rejected by the conscience of the world and by the law! Where sovereignty becomes the ultimate argument put forward by authoritarian regimes to support their undermining of the rights and freedoms of men, women and children, such sovereignty — and I state this as a sober truth — is already condemned by history.

Moreover, I believe all members of the international community have an interest in international action being thus defined and directed. Nothing would be more detrimental to States themselves than to leave private agencies or non-governmental organizations to take sole responsibility for protecting human rights in individual States.

Yes, States must be convinced that the control exercised by the international community ultimately results in the greatest respect for their sovereignty and spheres of competence.

The Vienna Conference has therefore rightly decided to evaluate methods and machinery for guaranteeing human rights with a view to improving them. It is indeed important that all of us here be aware of the changes that have taken place, administrative and jurisdictional levels and in the operational sphere.

At the administrative level, the number of procedures for guaranteeing human rights has been increasing for years, not only within the United Nations, but also at such specialized agencies as the International Labour Organization (ILO) and the United Nations Educational, Scientific and Cultural Organization (UNESCO) and at such regional organizations



## We are Single Human Community through Human Rights

as the Council of Europe and the Organizations of American States.

Within the United Nations, a proliferation of bodies each entrusted with monitoring implementation of a specific convention can even be noted.

At a more general level, the Commission on Human Rights and the United Nations Center for Human Rights must be accorded a special place.

The Center, in particular, has undergone profound changes in recent years.

Initially designed to carry out studies and provide information on all aspects of human rights, the Center has gradually been called on to contribute to the implementation of conventions, and to participate in ad hoc committees of special rapporteurs set up to investigate such wide-ranging matters as summary executions, disappearances and instances of arbitrary detention.

However, guaranteeing human rights also means setting up jurisdictional controls to punish any violations that occur.

In this area, regional organizations have shown the way — particularly in the context of the Council for Europe, in the form of the European Court of Human Rights, and in the Americas, in the form of the Inter-American Court.

I would draw your attention in this connection to the current efforts by the United Nations to promote both a permanent international criminal court and a special international tribunal to prosecute the crimes committed in the former Yugoslavia.

It was in February of this year that the Security Council decided to establish such a tribunal “for the prosecution the crimes committed in the former Yugoslavia.

It was in February of this year that the security Council decided to establish such a tribunal "for the prosecute of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991".

In asking the Secretary-General to consider this project, the Security Council has given itself an entirely new mandate. On 27 May, the Tribunal was established by a unanimous decision of the Security Council, acting under Chapter VII of the charter. This method has the advantage of giving immediate effect to the establishment of the of the Tribunal, since all States are required to take the necessary steps to implement a decision adopted in this manner. The Council has thus created, in the context of an enforcement measure, a subsidiary organ as envisaged in Article 29 of the Charter, but one of a judicial nature.

I cannot discuss the development of measures taken by the Organization to safeguard human rights without mentioning the decisive action taken by the General Assembly in the area of humanitarian assistance.

Since December 1988, when the General Assembly adopted resolution 43/131 on humanitarian assistance to victims of natural disasters and similar emergency situation, the notion of a right to humanitarian assistance has, to a certain extent, become one of the areas in which human rights can actually be guaranteed.

We have seen this reflected in the organization's operations in the Sudan, in Somalia, in the special case of Iraq and, today, in the former Yugoslavia.

Once again, theses resolution are not intended to justify some ostensible right of intervention, but simply to reflect one of the key ideas laying behind current efforts to



safeguard human rights: the relationship between such guarantees and the imperative of democratization which the international community is rightly embracing today.

The imperative of democratization is the last — and surely the most important — rule of conduct which should guide our work. There is growing awareness of this imperative within the international community. The process of democratization cannot be separated, in my view, from the protection of human rights. More precisely, democracy is the political frame work in which human rights can best be safeguard.

This is not merely a statement of principles less a concession to a fashion of the moment, but the realization that a democracy is the political system which best allows for the free exercise of individual rights. It is not possible to separate the United Nations promotion of human rights from the establishment of democratic systems within the international community.

Let me not be misunderstood nor unwittingly cause offense.

When, like so many others before me, I stress the imperative of democratization, nor do not mean that some States should imitate others slavishly, nor do I expect them to borrow political systems that are alien to them, much less try to gratify certain western States — in fact, just the opposite. Let us state, forcefully, that democracy is the private domain of no one. It can and ought to be assimilated by all cultures. It can take many forms in order to accommodate local realities more effectively. Democracy is not a model to copy from certain States, but a goal to be achieved by all peoples! It is the political expression of our common heritage. It is something to be shared by all. Thus, like human rights, democracy has a universal dimension!

To avoid misinterpretations and misunderstandings, we must all agree that democratization must not be a source of concern to some but should be an inspiration for all states! In this spirit the United Nations, in its mission to guarantee human rights, has an obligation to help States — often those on the road to democratization.

This is why we must distance ourselves from sterile polemics and act constructively to build the link effectively between democracy and development.

One thing is certain; there can be no sustainable development without promoting democracy and, thus, without respect for human rights. We all know that, on occasion, undemocratic practices and authoritarian policies have marked the first steps taken by some countries along the road to development. Yet, we also know that if these States do not undertake democratic reforms once they have begun to experience economic progress, they will ultimately achieve nothing more than disembodied growth, source of greater inequity and, eventually, social unrest. Democracy alone can give development its true meaning.

This analysis must lead the developed countries to take an increasingly responsible attitude vis-a-vis states that are engaged in the democratization process. More than ever before, each one must realize its own responsibility in what is a joint undertaking. Each one must understand that development assistance contributes to the promotion of democracy and human rights. This in no way diminishes the overriding responsibility of all States, including the developing countries, to promote democracy and human rights at home. This matter is of concern to the entire international community, for only through individual development can peace for all be ensured!



Each passing day shows that authoritarian regimes are potential causes of war and of the extent to which, conversely, democracy is a guarantor of peace. We have only to look at the mandates given to the United Nations forces to see the connection which the Organization is making, at the operational level and in the most concrete terms possible, between peace-keeping, the establishment of democracy and the safeguarding of human rights.

The mandate given to the United Nations operation in Namibia from April 1989 to March 1990 was an early but powerful demonstration of this evolution. Since 1991, a number of major operations have incorporated this political dimension — the safeguarding of human rights and the restoration of democracy — in their mission. We have seen this in the operations in Angola, Mozambique, El Salvador, Somalia and, of course, Cambodia.

Many States in fact, know full well how desirable it is to receive the electoral assistance which they are requesting with increasing frequency from the United Nations.

In 1989, a mission was set up to monitor the electoral process in Nicaragua. The following year, a similar mission was set up in Haiti. Requests for electoral assistance continued to increase at a steady rate, and in the autumn of 1991 the General Assembly endorsed the creation, within the Department of Political Affairs, of an electoral assistance unit, which became operational in April 1992.

Since then, equipped with this new tool, the United Nations has been better able to meet the request for electoral assistance from many States: Argentina, Burundi, Central African Republic, Chad, Colombia, Congo, Djibouti, Equatorial Guinea, Eritrea, Ethiopia, Guinea, Guinea-Bissau, Guyana, Kenya, Lesotho, Madagascar, Malawi, Mali, Niger, Rwanda,

Romina, Sengal, Seychelles, Togo, Uganda ... the list is impressive.

Such requests fall into a variety of categories: the organization and holding of elections, their monitoring and verification, on-site coordination of international observers and with the many forms of technical assistance required for democratic elections to take place smoothly .

This is a major undertaking for the United Nations, and whose magnitude must be stressed. The supervision and monitoring of elections do not in themselves constitute and long-term guarantees of democratization and respect for human rights. This is borne out, unfortunately, by the experiences of Angola and Haiti. The United Nations cannot guarantee that there will be enough of a sense of democracy for election results to be respected.

And so we have to do even more. We must help States change attitudes, convince them to undertake structural reforms. The United Nations must be able to provide them with technical assistance that will allow them to adapt their institutions, educate their citizens, train leaders and set up regulatory mechanisms that respect democracy and reflect a concern for human rights. I am thinking specifically of how important it is to create independent systems for the administration of justice, to establish armies that respect the rule of law, to create a police force that safeguards public freedoms, and to set up systems for educating the population in human rights.

It is my conviction that task is nothing less than setting up a civvies workshop on a global scale.

Only by heightening the international community's awareness of human rights in this way and involving everyone in this effort can we prevent future violations that our



conscience, and the law, will condemn. Here, as elsewhere, preventive diplomacy, is urgently needed.

I look to the Conference to offer suggestions, innovations and proposals to give increasing substance to this human rights diplomacy!

Through these thoughts and illustrations I hope that I have shown the the United nations has taken a decisive turn in its history. Imperceptibly, our determination to respect human rights is now beginning to be reflected, through concrete and programmatic efforts, in everything we do.

But it also shows us that human rights permeate all activities of our Organization, of which they are, simultaneously, the very foundation and the supreme goal. This has been an important lesson for us which we must bear in mind throughout this Conference: the safeguarding of human rights is both a specific and a general goal. On the one hand, it requires us to increasingly specific rights and to imagine increasingly effective guarantees.

Allow me, then, by way of Conclusion and at the outset of this Conference to make a final appeal:

May human rights create for us here a special climate of solidarity and responsibility!

May they serve to bind the Assembly of States and the human Community!

And, finally, may human rights become the common language of all humanity!

## 2. DIVERSE PERSPECTIVES ON VIENNA

RIGOBERTA MENCHU



**I** think that the indigenous struggle is as dignified and necessary as the struggle of women. I think that there is no place in the world where the emancipation of women has already been achieved. Women are maybe the biggest example of marginalization. I think that if women, children, and indigenous people could bring together their feelings, their evaluations and their new ideas for the future, that could mean a lot, may be a new condition for science and technology, a new condition of development and progress. I'm not saying this only because I'm an indigenous person and a woman, but because I believe that there have been many attempts and usually they (these peoples) are the ones who are more vulnerable, the victims of repression, of discrimination, and of the lack of appreciation of international and national norms.



There are many representations, each of us can be a representative of our own history, roots and achievements. And the mistakes of humanity have to do with the withdrawal of the love for collective values and the individual values.

If we appreciate those two, collective and individual values, we will understand that we have a role to play in society.

Indigenous persons, women, aborigines, ethnic minorities, religious minorities, etc. - all human beings - will understand their role in a more pluralistic and respectful nation and world.

I know that talking about human rights in these times is a complicated matter because one can be unfair with the achievements of peoples who are not legitimized in papers and norms.

There's a division in the achievements of the legislation and in technology and science, and the struggle of peoples who fight on a daily basis is what gives a human perspective. This is, I believe, the future of our world.

I was named by the UN Secretary General Boutros Boutros-Ghali as the Goodwill Ambassador for the International Year of Indigenous People and I think that this is a precedent and I hope that this continues.

Above all, I think that the message of the conference is to aspire to a more institutionalized participation, more alive, of the indigenous peoples in the different organizations of the UN or of NGOs in the next decade.

This means that in the next decade the indigenous peoples, along with other groups, will have more of a presence.

I am very confident of the future and I hope that in the World Conference on Human Rights it will be understood that our peoples are also very anxious to participate.

*Rigoberta Menchu, Social worker awarded the Nobel Peace Prize in 1992. A self-educated Quiche Indian social worker, Menchu advocated political reforms and respect for human rights in the context of a savage 34-year-old civil war that led to the disappearance of 46,000 people. Among the dead are her father, mother, and brother, who were killed by Guatemalan security forces. Her autobiography, "I, Rigoberta Menchu: An Indian Woman in Guatemala," has sold hundreds of thousands of copies in 11 languages.*



### 3. NGOs and UN system

**IBRAHIM FALL**

*Mr. Ibrahim Fall, Secretary General of the World Conference on Human Rights held at Vienna on 25th June 1993, in a closing statement to the conference, said:*

We have now reached the end of a long and arduous road which began some three years ago with the General Assembly's decision to convene a world conference on human rights.

From the beginning, the World Conference was seen as a dynamic process aimed at involving ever larger sectors of society in our quest for effective protection of human dignity. Here I think we can claim success. Our meetings here in

Vienna have been a "World" Conference in the true in the sense of the term. People from every corner of the earth were represented and the subjects dealt with are the daily preoccupations of all our fellow human beings.

Never before have so many Governments representing so many diverse cultures and peoples given such indepth attention to human rights. Throughout the preparatory process and during the Conference itself, in our official meetings and in the NGO activities, intense debate and reflection by Governments in dialogue with other Governments, international organizations, national institution, the NGO community and human rights experts have dissipated many misconceptions and made real progress in mutual understanding. Common views and strategies have evolved from this growing consultation.

This mobilization for and participation in the Conference may well be one of its most significant outcomes, especially if it is enhanced in the future by more cooperation and coordination among the institutions and organizations active in the field of human rights and\or development.

I would also like to underline here the direct participation of the people concerned in the Conference itself. Children spoke directly to the plenary on the violations of their rights and their hopes for the futures. Women also told us of the issues directly concerning them, as did indigenous people from all over the world. This Conference also benefited from the substantive contribution of the United Nations treaty bodies, our special rapporteurs and working groups, United Nations specialized agencies and bodies and regional human rights organizations.

Governments were, of course, at the centre, for only Governments can undertake international obligations and ~~only~~ Governments are ultimately responsible for human rights protection.

The Conference itself was an act of reaffirmation and ~~strengthening~~ of the international standards proclaimed by



the United Nations since its creation and the validity and importance of enhancement of the methods of implementation developed since then.

This must be understood to extend not only to the rights themselves, but also to the protection of those rights. We must act as energetically and with equal determination to protect the human rights of victims-especially of massive violations-no matter where they live, and regardless of their culture or religion. It is their right to protection, not our option to act or not. And I understand the concerns of those who see a lack of consistency in this matter.

We also have reaffirmed the crucial principle of equality and the need to fight all forms of discrimination, xenophobia, and intolerance. One of the greatest dangers to human rights is racism, racial discrimination and exclusion. These are cancers which begin by attacking the weakest members of the community, minorities, immigrants, refugees, indigenous people, and which can soon spread to destroy a whole society. It is vain to look for long-term economic progress in a society of exclusion and I wish to solemnly warn against the temptation of seeking short-term political gain through the language of exclusion.

The Conference's recognition of the interdependence and mutually reinforcing relationship between democracy, development and human rights is important. It will provide the foundation for future convergent action by international organizations and national agencies to promote all aspects of human rights. Further, the recognitions by this conference of the right to development as a human right means that we can now turn from theoretical debates to seeking ways of giving reality to the development.

Mr. President, there are a number of the other areas of progress which can be mentioned, such as:

### **Women**

On the issue of women's human rights, in response to the unprecedented call from a worldwide movement, the World Conference took historic new steps.

The main policy message of the Conference is that equal status of women and the human rights of women should be integrated into the mainstream of United Nations system-wide activity. All the human rights treaty bodies and the monitoring special Rapporteurs and Working Groups of the Commission on Human Rights should incorporate women's human rights concerns in their work. The role of Governments, NGO's and the United Nations Secretariat is very important in that respect. The Conference also calls for increased cooperation between the Commission on the Status of Women, the Commission on Human Rights, the Committee against the Discrimination of Women, UNIFEM, UNDP and other United Nations agencies.

At the normative level, the Conference calls for the universal ratification of the Convention against the Discrimination of women by the year 2000, and the preparation of an optional protocol to this Convention introducing the right of petition.

The Conference clearly saw violence against women as a human rights concern, as affecting women's fundamental human dignity. It calls for the elimination of all forms of sexual harassment, exploitation and trafficking in women, the elimination of gender bias in the administration of justice and the eradication of any conflicts between the rights of women and the harmful effects of certain traditional practices, cultural prejudices and religious extremism. It also gave its



support for the creation of a new mechanism, a Special Rapporteur on Violence against Women at the Commission on Human Rights and called for the adoption of the Declaration on Violence against Women by the General Assembly.

Finally the full integration of women at the policy-making level, both within the Secretariat of the United Nations and within the decision-making and experts bodies of the Organization has also been called as well as training for United Nations human rights and humanitarian relief personnel so that they are assisted to recognize and deal with human rights abuses particular to women and to carry out their work without gender bias.

### **Children**

Children's rights have also been given specific attention. The World Conference stressed that:

- States should ratify universally by the year 1995 the Convention on the rights of the Child and integrate it in their national action plans.

- Laws, regulations and customs harmful to the girl child should be eliminated.

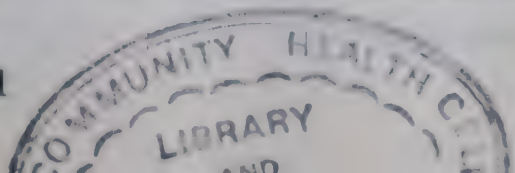
- The Conference strongly supports the proposal of the Committee on the Rights of the Child for a study into means of improving the protection of children in armed conflicts and calls on the Committee to study the question of raising the minimum age of recruitment into the armed forces.

Here, Mr. President, we must remember the devastating effect on children of illicit drugs especially on the eve of the International Day against Drug Abuse and Trafficking.

### **Indigenous peoples**

The World Conference agreed to recommend to the General Assembly that it proclaim an international decade of the World's indigenous peoples. This will allow the United

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Nations to build on the measures taken in 1993 during the International Year and open a new chapter of partnership between indigenous peoples and Governments.

The World Conference also agreed to recommend that a voluntary fund be established to finance the activities of the international decade and it also supports the strengthening of the office dealing with indigenous peoples through adequate human and financial resources.

Finally, the World Conference agreed to update the mandate of the Working Group on Indigenous Populations, the main forum for indigenous people in the United Nations.

### **Monitoring**

In the area of monitoring,

- The World Conference has underlined the importance of preserving and strengthening the system of Special Procedure rapporteurs / Representatives / Experts and Working Groups of the Commission on Human Rights and has asked that they be provided with the necessary human and financial resources.

- The procedure and mechanisms should be enabled to harmonize and rationalize their work through periodic meetings and all States are asked to co-operate fully with them.

- In addition to the above-mentioned central provision, the final declaration stresses repeatedly the need for protection of all human rights as a priority objectives of the United Nations and consequently the strengthening of national and international mechanisms.

- The call for additional resources for the Centre for Human Rights also includes special procedures and mechanisms and the final document specially mentions that the Centre should be assured adequate means for this purpose.



-The existing Special rapporteurs on torture and on racism, racial discrimination, xenophobia and related intolerance have been specifically referred to and the decision of the Commission to consider the appointment of a Special Rapporteur on violence against women at its next session has been welcomed.

### **Ratification and Reservations**

-The World Conference has demanded, not only for the universal ratification of the Convention on the Rights of the Child and the speedy ratification of the other human rights instruments, but

-The Secretary-General and the treaty bodies should pursue a dialogue with states to identify possible obstacles to ratification and show such obstacles could be removed.

-Call for special attention to be paid in the 1998 review of progress achieved towards universal ratification of the treaties and their protocols.

-States should be encouraged to limit the number and scope of their reservations to human rights instruments and ensure that such reservations are not incompatible with the object and purpose of a treaty.

States are invited to consider ratification of the International Convention on the Rights of all Migrant Workers and Members of their Families as soon as possible.

### **Economic, social and cultural rights**

-The World Conference welcomed the appointment by the Commission on Human Rights of a thematic Working Group on the right to development with the urgent task to look into measures to eliminate obstacles to the Declaration on the right to development, and recommended that the possibility of elaborating an optional protocol to the Covenant on Economic, Social and Cultural Rights should be given

further consideration by the Commission on Human Rights.

### **Technical Assistancess**

One major theme which runs throughout the Declaration and Programme of Action is the need to strengthen the enjoyment of human rights through technical assistance. A number of specific areas in which assistance should be made available were pointed out including in strengthening the institutions of democracy and human rights, the judiciary, in the protection of minorities, indigenous peoples and in promoting human rights education.

### **High Commissioner**

The World Conference recommended the General Assembly to give consideration at its 48th session to the question of the establishment of a High Commissioner for Human Rights for the promotion and protection of human rights.

### **Resources**

In terms of strengthening the resources of the Centre for Human Rights the Conference expressed its concerns at the growing disparity between activities of the Centre and the human, financial and other sources available to carry them out, and requested the Secretary-General to take immediate steps, to substantially increase the resources for the human rights programmes from the regular budget and to take urgent steps to seek increased extra-budgetary resources.

Within this framework, an increased proportion of the regular budget is called for to be allocated directly to the Centre for Human Rights so as to enable it to carry out its activities effectively, efficiently and expeditiously.

Moreover, the Secretary-General and Member States are urged to adopt a coherent approach aimed at securing resources commensurate to the increased mandates.



### **Follow-up to the World Conference**

Three main recommendations have been made: that the General Assembly considers ways means for the full implementation, without delay, of the recommendations contained in the Declaration of this Conference; that the Commission on Human Rights annually review the progress towards this end; and that the Secretary-General of the United Nations invite on the occasion of the Fiftieth Anniversary of the Universal Declaration of Human Rights all States, all organs and agencies of the United Nations system related to human rights, to report to him on the progress made in the implementation of the Declaration of this Conference.

The Conference also dealt with increased coordination on human rights within the United Nations system; persons belonging to national or ethnic, religious and linguistic minorities; migrant workers; enforced disappearances; the rights of the disabled persons; strengthening of human rights; and human rights education. The Conference also placed special emphasis on the elimination of torture urging all States to put an immediate end to torture and to adopt the measures of prevention.

**Mr. President,**

We have come to the end of the World Conference road and are about to begin on another, that of putting into practice the Conference's decisions.

The Declaration has set out for us a Programme of Action for Human Rights based on the principle of cooperation, the need to adopt a holistic approach to promoting human rights and the necessity of involving actors at all levels, international, national and local.

Cooperation is essential to the identification of problems, to finding appropriate solutions

and the resources necessary for their implementation. But cooperation will only be viable if it is based on the reaffirmation of the principles and rules of human rights and rules of human rights and a commitment not to tolerate violations.

A key lesson of the World Conference is that we must adopt a holistic and coordinated approach to promoting human rights. For examples, in protecting the rights of the child we must look at the wide range of factors affecting the child's daily life; health, education, food, shelter, parental employment and remuneration, legal protection, protection from exploitative labour, treatment in the judicial system, etc. Progress in one area can depend on advances in another. Without such a coordinated approach many well intentioned programmes could prove fruitless. Thus, the whole United Nations system is potentially involved. As this is true for children, it is so far extreme poverty, migrant workers, women, persons with disability, among others.

The Declaration is in fact very rich in content and even a summary description of its different aspects would but be possible here. However, it does suggest a way of bringing all the various elements together so that they may have a positive impact on the enjoyment of human rights. Internationally, It recommends a comprehensive United Nations programme to help State build and strengthen their human rights infrastructure. That programme, coordinate by the Centre for Human rights should provide at government request a large number of services.

The World Conference also recommended the drafting of coherent and comprehensive plans of action for human rights promoting and protecting with governments requesting technical assistance in a wide number of areas. And the Conference recommended that each State considers the



desirability of adopting national plans of action for human rights.

I believe that these suggestions could provide a framework of planning dialogue and cooperation an denable us to measure progress as we have never been able to do before.

**Mr. President,**

The new approach to promoting an protecting human rights together with the detailed programmes and targets contained in the Declaration will require some very significant changes in how we work in the United Nations. A close collaboration based on shared information, respect for specific competence and mutual confidence will have to be build up between the Centre for Human rights and the various United Nations agencies and programmes.

But we will have to go beyond an dincorporate into our thinking and planning the expertise, experience and resources of regional inter-governmental bodies, national institutions, universities an non-governmental organizations. In this regard, the world Conference has foreseen, a great role for non-governmental organizationss, as well as international financial institutions, development agencies and the media in the implementation of the program of action.

The undeniable achievements of this Conference are due to the work and dedication of all who took part in this Conference and its preparation; you can be proud of your achievements.

I wish to thank all those who from near and far made their contributions, often in difficult circumstances, to the success of this Conference; and her, I think especially of our interpreters. May I wish you all a save journey home.

Mr. President, I wish to turn to you and to extend our deepest thanks to the People of Austria and their government and the City of Vienna for having provided the hospitality and conditions of work which have contributed so much to our success.

We can leave Vienna with a sense, of accomplishment and hope and with the knowledge that a solid foundation of principles, understanding and commitment has been laid for future progress. Human rights is becoming a common language of humanity. It is a slow process, especially for those who suffer violations or those who work for respect for human rights often at their own personal risk; and there I want to honor the courage and dedication of human rights workers throughout the world. They are essential to progress.

Finally, Mr. President, today, in adopting this Declaration, the Member States of the United Nations have solemnly pledged to respect human rights and fundamental freedoms and to undertake

individually and collectively actions and programmes to make the enjoyment of human rights a reality for every human being. Our undertaking here has been made in front of the eyes of the World and history will judge us, not by the words on the pages of this Declaration, but by the sincerity of our efforts and the success we achieve in bringing about changes in the way people live.

We must not fail. For the credibility of the whole United Nations is at stake.

Thank you for your attention.



## 4. United Nations and the Elimination of Racism and Racial Discrimination

### *Why the UN is Concerned about Racism and Racial Discrimination*

In 1945 the nations tried to make a new start. After suffering two world wars, they turned from the old world of colonial empires and from ideas of racial superiority and ideologies which had caused the elimination of millions of people due to their race or religion. The nations founded the United Nations and pledged themselves to develop a just and peaceful world community in which all people would be treated with respect and have equal opportunities to lead decent lives.

Many parts of the UN system worked on different aspects of the human rights and fundamental freedoms called for in the UN Charter. Some gave attention to political rights, others to the right to education, health care, fair employment and the like.

It was soon recognized that this work would be difficult and slow. Although the nations had committed themselves to basic human rights, some people had been brought up to feel that certain groups were superior to others because of the

colours of their skins, their religions, their race, sex, ethnic or political backgrounds. In some places, certain groups were not allowed to own land or rent homes; in others some children were given inferior or no education; some jobs were closed to various groups and so on. In the most extreme case, apartheid, the government itself (South Africa) denied to the black majority in the country the enjoyment of basic human rights agreed upon by the United Nations Member States.

It was difficult to put the ideals of the United Nations Charter into practice, and peace and development were impeded when people suffered such injustices. But what was to be done? How could the world community insist that these nations abide by basic human rights? How could people's feelings and behavior change? As time went on, the United Nations devised many ways to deal with this problem.

### ***What the United Nations is doing about racism and racial discrimination***

#### **A. Setting standards**

In the United Nations Charter Member States decided that everyone had equal dignity and worth without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Soon after, in the Universal Declaration of Human Rights, nations said they believed that each person had certain basic rights and fundamental freedoms. The United Nations Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights put these ideas into legal form; nations who ratified these pledged to carry out their provisions.

A special declaration and convention on racism and racial discrimination followed. In these nations agreed that



none of the human rights guaranteed in the Charter and Human Rights Conventions could be denied to people because of their race, colour, descent or national or ethnic origin. The United Nations Declaration on the Elimination of All Forms of Racial Discrimination includes the following considerations:

- \* that any doctrine which holds that one race is superior to another is "scientifically false, morally condemnable, socially unjust and dangerous, and that there is no justification for racial discrimination either in theory or in practice;

- \* "that racial discrimination harms not only those who are its objects but also those who practice it." The Declaration calls on all States to put its principles into law. It also asks that they take measures to combat prejudices which lead to discrimination and to promote, through education and information, understanding, tolerance and friendship among racial groups.

### ***International Convention on the Elimination of All Forms of Racial Discrimination***

The principles set out in the United Nations Declaration on the Elimination of All Forms of Racial Discrimination are reaffirmed in the International Convention on the Elimination of All Forms of Racial Discrimination, adopted by the General Assembly in 1965 and ratified or acceded to by 118 states.

Under the Convention, each State Party undertakes to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right to everyone, without distinction as to race, colour or ethnic origin, equality before the law in the enjoyment of a long list of human rights and fundamental freedoms. The list contains several rights not mentioned specifically in the Universal Declaration of Human Rights, such as the right to inherit and the right to access to any

place or service intended for use by the general public, including transport, hotels, restaurants, cafes, theatres and parks. The Convention lists specifically, among the rights in regard to which discrimination is prohibited, the right to work, the right to join trade unions, and the right to housing.

## **B. Implementing the Standards**

### **1. *The Committee on the Elimination of Racial Discrimination***

The Committee on the Elimination of Racial Discrimination, which consists of 18 independent experts, reviews reports submitted by States Parties on the actions they have taken to eliminate racial discrimination and makes proposals and general recommendations. The Committee may also receive and consider communications from individuals or groups of individuals to that effect, and prepare proposals and recommendations in regard to such communications. The Committee also co-operates with the United Nations bodies concerned with dependent Territories in dealing with petitions from the inhabitants of such Territories which contain allegations of racial discrimination.

From time to time the Committee comments upon particular situations involving racial discrimination or draws them to the attention of the General Assembly. It also indicates matters on which it would like to receive detailed information from States Parties to the Convention.

The Committee holds two sessions a year at which it examines reports by the States Parties to the Convention and by United Nations organs concerned with dependent Territories. Representatives of States Parties are invited to be present at, and take part in, the discussions when their reports are under consideration. At the two sessions in 1982,



for example, the reports of 40 countries were examined. They dealt with measures taken by States Parties in fields such as the following: the advancement and promotion of gypsies, States relations with South Africa, the rights of minorities to use their own languages, the rights of migrant workers, etc.

### **Role of the United Nations: moral force**

At times of violence or chaos students need to appreciate the power of moral standards. The primary incentives for nations to live up to the ideals of the United Nations Charter are the approval of other Member States and the chance to participate in the world community. Nations are deterred from anti-social behaviour by disapproval and the threat of exclusion as well as by economic sanctions. The sense that there are standards and that nations for the most part abide by them will help young people to feel more secure. At the same time they will understand better the real strength of the United Nations.

To deal with these matters, students can study the United Nations Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights and the Convention on the Elimination of All Forms of Racial Discrimination. Then they can see how these matters are dealt with in their own constitutions. They can also analyze stories or simulations showing how people learn to respect the rights of others and to abide by the good of the community. The theme of decolonization can also be used as an example of the United Nations moral force.

### **2. Studies and Seminars**

As part of its on-going work relating to racial discrimination, UNESCO has sponsored research which has shown there is absolutely no scientific foundations for considering one race superior to another. They firmly rejected

the idea that there are fundamental differences in the human species and unequivocally condemned theories based on the superiority of one or more races. They pointed out that differences in cultural achievements are to be explained by the cultural history of a people rather than differences in intelligence or innate ability, and that other differences might be more closely linked to the social and economic opportunities the society permitted.

Other studies done within the UN have included: "Apartheid as a collective form of slavery", "The problem of discrimination against indigenous populations" and "Equality in the administration of justice".

Numerous seminars have been held in all parts of the world on topics relating to racial discrimination in such areas as recourse procedures for victims of discrimination and the dangers of a return to racist ideologies.

### **3. Mobilizing World Action**

In order to give added urgency to the fight against racism and racial discrimination, the United Nations has held conferences and designated a year, a decade and an international day and week to be devoted to this subject.

1971: International Year for Action to Combat Racism and Racial Discrimination

1973-

1983: Decade for Action to Combat Racism and Racial Discrimination

In launching the Decade, the General Assembly declared that racial discrimination in all its forms and manifestations is a total negation of the purposes and principles of the United Nations Charter, and that it militates against human progress, peace and justice. The Programme of Action for the Decade calls for a



continuing effort by all peoples, Governments and institutions to eradicate racial discrimination and to promote respect for human rights and fundamental freedoms for all.

1978: First World Conference to Combat Racism and Racial Discrimination

1983: Second World Conference to Combat Racism and Racial Discrimination

This reviewed and assessed the activities undertaken during the Decade and also formulated measures to ensure full and universal implementation of United Nations decisions on racism, racial discrimination and apartheid.

In addition to Human Rights Day (10 December), there is the International Day for the Elimination of Racial Discrimination (21 March) and the Week of Solidarity with the Peoples Struggling against Racism and Racial Discrimination (the week beginning 21 March). These may be celebrated with assemblies, films, exhibits, demonstrations and other activities in communities, schools and universities.

### **Role of individual People: student involvement**

Racial discrimination is a useful theme for international education because it is not far-off and abstract but sometimes present even in the home societies. Much may have been accomplished, particularly in recent years, but there are still societies which have not wiped out every vestige of discrimination. Laws may have been passed and redress be possible but de facto discrimination and attitudes of superiority of one group towards another probably remain. (Students themselves can affect what happens).

Students can become aware of the situation of people in their home communities through local media, surveys and other investigations and field trips. For example, students of

one school sketched scenes of discrimination in different daily situations. They should also become aware of their own attitudes and behaviour and learn that when they fail to actively repudiate discrimination, they are actually contributing to it. They can also study the local laws relating to discrimination in various fields and ways that people can obtain redress when the laws are violated. In conclusion, many schools undertake action projects to eliminate instances of discrimination in school or in the community. They can learn that in doing so they are contributing to the elimination of racial discrimination everywhere. Celebrating Human Rights Day and Racial Discrimination Days can give them the sense that they are part of this worldwide effort.

### **Realistic expectations: the pace of change**

Although technology can bring swift changes, human relations evolve only very slowly. Students need to accept the idea that signs of improvement will not become immediately visible. This, however, should not deter them from the work.

### **4. Regional and national action**

Different regions monitor how the States carry out human rights. The Council of Europe and the Organization of American States (OAS) have each a Commission and a Court on Human Rights. At the national level States Parties have passed laws and made efforts to enforce them. They are also trying through education and information to help people to be aware of discrimination and to combat it wherever it exists.

### **III. What remains to be done**

#### ***The United Nations and the Governments***

The fight against racism and racial discrimination is not over. In spite of the standards set, the laws and their implementation, much remains to be done. There are some



## United Nations and the Elimination of Racism

nations that have not yet become parties to the Convention and these are urged to do so. Some who are Party to the Convention still have to intensify their efforts.

Changes are still needed in the ways people treat one another.

To change attitudes and behaviour, education is important. This is what the United Nations and the States Parties consider especially urgent. Through schools and the media people can learn about the worth, dignity and equality of all people.

### ***What Can YOU Do to Help?***

A great deal of what happens now depends on individuals like yourselves. Attitudes and behaviour which people absorb unconsciously are slow and difficult to change. You can help them, however, to become aware of discrimination. You yourself can treat people with respect and can resist injustice. You can help people to understand

"He who shames him, does not he know he shames himself?"

# HUMAN RIGHTS - A NEW PARADIGM OF DEVELOPMENT FOR THE 21ST CENTURY

HENRY THIAGARAJ

**W**e live at a momentous point of history, when the world is entering the 21st Century. In 1991, we witnessed the end of an era of cold war, the dissolution of the Soviet Union which dominated the world scene. Now we live in a world which is threatened with glaring violations of justice and peace of our human society. The conflict, violence and man-made disasters prove that the society is sick. Sigmund Freud's observations on the social neuroses in his book *Civilisation and Its Discontents* make us deeply pessimistic about our future.

In the last 40 years, the United Nations Development Programme, (UNDP) accomplished some results like *greater literacy, better nutrition and increase in life expectancy*. Yet UNDP has reported wide gap between the rich and poor. It is a great disappointment that UNDP could not eradicate global poverty-nor hunger in the world. I recall the time I was on a fellowship at the UN 30 years ago in New York when UNDP was considered the hope of mankind offering the *manna* to the third world. Africa was awakening then, Africa is still



haunted by famine, hunger and drought. In addition African countries failed to stabilise democracy and political freedom.

Large banking agencies thought few doses of capital would cure the ailments of poor countries. It did not work. Many developing countries witnessed political turmoil, became indebted, suffered much in trade. It soon became apparent that material input like capital inflow alone was not sufficient. Greater doubt on traditional economic measures have arisen. Things got worse. More than 1 billion people in developing countries live in poverty, with individual incomes below \$370 a year, according to a World Bank's Report. Currently, about 46 percent of the world's poor lives in South Asia, 25 percent in East Asia, 16 percent in Sub-Saharan Africa, 7 percent in Latin America and the Caribbean, and 6 percent in Europe, the Middle East and North Africa.

The Report warns that if the global economy performs less favourably than the forecast, the level of world poverty will be considerably higher. The weight of poverty has fallen most heavily on certain groups, especially women, who shoulder more of the workload than men, are less educated and have less access to jobs and other activities that generate income. Children particularly girls, have also suffered disproportionately from poverty, and "the future quality of their lives is compromised by inadequate nutrition, health-care and education".<sup>2</sup> Carlos Fortin, Director of *South Commission*, an independent agency viewing Third World issues in a global perspective, says "In the beginning there was naive expectation that the gap with the North could be bridged very quickly. There was industrialisation and in some cases spectacular growth. But at the same time the pattern of development that was adopted tended to create inequality; economic aid undermined development by creating dependency."<sup>3</sup>

What we see globally, the gap between the rich and the poor nations, is reflected in India with the extreme poverty on one side and extreme wealth on the other side. It has been reported that 0.42 percent of the people own 50 acres or more land in India, whereas 70% of the people do not own any land at all. Many economists have pointed out that while many people became richer availing the Government development plans, the poor people remained poor, 35% of the people do not have one square meal a day. *The Human Development Report* of 1994 states that, "India alone accounts for nearly 27 per cent of the world's poorest, which is about 350 million people the largest such grouping anywhere in human history. Nearly half the world's illiterates too are in India and almost two-thirds of India's female population are illiterate. With the status of primary and secondary education in shambles throughout the country, the base of human development has been completely eroded.

Unemployment has reached such gigantic proportions that one can only hazard a guess as to its scale, with one estimate placing the number of unemployed at 20 to 30 per cent of the active labour force. Under the dispensation of the new economic policy, with global competitiveness and bottom line being the determinants, the technological strategies deployed will not be employment-intensive. As for the state of health-care in the country, the less said the better. The Primary Health Care system in the rural areas has become a farce, sanitation and hygiene in urban localities are hopelessly inadequate and the public hospitals, the only medical care to which the poor have any access, are in a state of deprivation.

Such economic marginalisation of large sections of the community has led to social tensions, social disintegration and a steep sense of insecurity among the population. This



insecurity has started manifesting itself in narrow and aggressive groupings based on caste, class, religion, language, ethnicity, locality, etc. One consequence of this is the escalation of fundamentalism and a rising crime graph. It has led to a sharp growth in the general level of conflict and violence, a rising alienation from the State and a multiplication of anti-Government insurgencies.”<sup>4</sup>

70% of India's population of 800 million people live in villages. In many parts of India untouchables *live separately, segregated from the caste Hindus*. Many villages do not have safe drinking water. In some of these Dalit (untouchable) villages, women have to walk one kilometre or more to get drinking water. There are still villages where there is no electricity and basic amenities to live. More than 40 years of planning and money spent on development in India has brought several distortions like the rich becoming richer, and the poor remaining poor. Even after economic liberalisation introduced two years ago, the former Food Minister of India, Mr. C. Subramaniam writes: “We should realise that the existing policies and programmes for eradicating poverty and to generate employment in the country have proved to be a failure”.<sup>5</sup>

India is a country with the third largest manpower in science and technology. It is fast developing as an industrial country. Yet, its poverty is a great puzzle of development. The few rich who knew how to manipulate the powerless exploit the defenceless poor. Personally India's development is a deep disappointment to many scholars. Many less privileged people felt that the freedom we won should give us economic and social liberation. Now India leads the third world in producing larger weapons 31%, as per a report of the World Bank. We are in the big business of nuclear energy. We have conveniently forgotten Mahatma Gandhi and his mission of non-violence.

Dr. T.H. Tietenberg in the article, "The Poverty Connection to Environment Policy" writes: "It will be virtually impossible to solve global environmental problems without simultaneously solving the problem of global poverty. And without the assistance of the industrialised world the strategies that developing countries will take to solve their poverty problems are likely to exacerbate the very environmental problems we have been talking about. Increased energy consumption to support industry will add greenhouse gases. Increased refrigeration will add more of the gases depleting the stratospheric ozone level ... If all the countries of the world were to choose the path to development that we in the industrialised world have taken, the resulting levels of pollution would exceed the capacity of the earth to absorb them ... Debt is another source of the deteriorating terms of trade. Many third world countries have staggering levels of debt to service. In 1989 the Third World owed \$1.2 trillion, nearly one half its collective GNP. The large debts owed by many developing countries encourage these countries to over-exploit their resource endowments to raise the necessary foreign exchange. Timber exports represent a case in point. President of the World Resources Institute, Gus Speth points out: 'By an accident of history and geography, half of the third World external debt and over two-thirds of global deforestation occur in the same fourteen developing countries'.<sup>6</sup>

The Brundtland Report: *Our Common Future*, "speaks of the concept of sustainable development, sanctioned by consensus among a remarkable group of international leaders. It lays the corner stone for a new international environment and development movement. A group of influential economists are calling for major revisions in thinking, arguing that high level of global economic growth is simply not possible - that



the limits to growth have already been reached. It is argued that we should tax the things we want to reduce (pollution and depletion) rather than the things we want to increase (employment and income). As these environmental taxes generate needed public revenues, we can ease up on income taxes especially on low income, even to the extent of using some of the new revenues to finance a negative income tax on very low incomes. The conflict between bio-physical realities and political realities, the latter must eventually give ground. Thus, as the planet makes the transition to sustainability, our choice becomes planning for an orderly transition, or letting physical limits and environmental damage dictate the timing and course of the transition.<sup>7</sup>

The facts mentioned in the preceding paragraphs bring to one clear thought: mere economic and material aid alone does not produce the desired material progress. Therefore, the area of spiritual values comes into the sphere of world development. Secondly, no problem is isolated; it is linked with several development factors, which are inter-related. An integrated and a holistic perspective of development is required. We live in a world of global paradoxes, resolving of which become complicated everyday. I am convinced that any planning and development of the world and for the people should be based on a global perspective with integrity of creation, without impairing the well-being of the people and the planet. The word, *integrity* means the *quality* or "*state of being complete*", *unbroken condition, wholeness, entirety, the quality of state of being unimpaired, soundness*. The word also means *uprightness, honesty and sound moral principles*, as explained in the Webster's Dictionary. Integrity of creation thus implies a theological perspective, a holistic view of the world. The World Council of Churches have been using for

the last few years the theme “Justice, Peace and Integrity of Creation”

For the first time a world view has been formulated to include human rights, social justice, economic equality, environmental and ecology concerns. Scholars have taken the task of educating people on this new world view which was the central theme of the World Summit on Environment: in June '92 in Rio de Janeiro Brazil. Representatives of both inter-governmental and non-governmental organisations around the world worked on Agenda 21 for the success of this conference.

Five great world events held between 1990-95 have offered new material and insights, as they attracted the participants of NGO's representing the people all over the world. They are: 1) The World Summit for Children held in September 1990; 2) The World Summit on Earth (Environment and Development) held in June 1992; at Rio de Janeiro 3) The World Conference on Human Rights held in June 1993; 4) The World Conference on Population held in Cairo in September - 1994; 5) The World Summit on Social Development held in Copenhagen in March 1995. The World Conference of Women held in Beijing in September - 1995. These global events though face the criticism that they have not accomplished much, it cannot be denied that they have become a turning point to both the Governmental and Non-governmental organisations to move into the 21st Century. These world events, though held separately, are integrally connected, pointing to a new paradigm for development in the new age. The role of NGO's representing the voice of the poor, the oppressed and the discriminated felt in all these world events. NGO's were able to bring massive materials and evidences to correct the imbalances and the distortions taking place within government and social structures.



Among the NGO's those who are speaking on economic disadvantages often ignore the social disparities. Social justice has not been accepted by many NGOs from the elitist social groups. In the present circumstances, the danger that the NGOs may also tolerate and perpetuate the social disparities exists. It is in this context the contents of the World Summit on Social Development draws our attention to the question of untouchability and the plight of the Dalits in India. The voices of the oppressed Dalits in India have not been heard in this world event. The Dalit issues have not become major issues in any of the world conferences. The feeble voice of the Dalits was heard only in the World Conference on Human Rights. Many donor Agencies in the Northern hemisphere are still in the old era not awakened to the grassroot realities. Some of them are dominated by the same unjust elements which are barriers to the liberation of the downtrodden.

As individuals facing global problems we feel limited and helpless. Some turn to religion for help but the exploitation in the name of religion, the rise of fundamentalism, dogmatism and denial of human rights drives people to a state of disbelief. Dr. Riamundo Panikkar, a great Professor of Comparative Religion says: "Religion may be the most lofty, sublime thing in the world; at the same time it can be the most horrible dehumanising, demonic thing in the world. It can be most lethal or most saving. Religion is not necessarily good. I must make it clear that I do not like the word religion. I think one should get rid of the word if possible". Moreover, Dr. Panikkar also points out the need to re-discover the meaning of religion to meet the present day problems. "Any religiousness which is not invented and recreated and found anew is already out of date. It does not help to cope with the human condition and bring it to its fulfillment, as I believe it

should. That's the disadvantage when religions become too organised, fossilised. All religions have been starting point for revolution and change and have then become stabilising forces, defending the *status quo* and quenching the very development of the same religion".<sup>8</sup>

In order to explain this further, it is important to understand human nature and the human person. The Human Person expresses living at two levels leading to a paradox which reflects in social and global levels: (1) the mechanical brain function and (2) mystical level of the spirit. At the mechanical level the brain forms habits, knowledge necessary for survival, expression of intelligence, reason, etc. Most people's religion stays at this survival level. It has an immediate circle of family, society and self. Its function is the survival of the self - the individual and the society. Often fundamentalist religious traditions speak of patriotism, love of country of their particular society. They cannot go beyond the concept of their own society and reach out to humanity - to love their enemy. Many leaders invoke the name of God and religion for war and violence and do not include all the people irrespective of one's colour, citizenship, political and religious affiliation.

The second level is a deeper level, a mystical level which includes the entire humanity. It does not confine to particular nation and society. Those who embrace the entire humanity, have a vision and mission, which is distinct from the survival oriented work and behaviour of particular groups. The spirituality that embraces the entire humanity is a sublime experience which transcends an individual, particular society and nation, similar to the *agape of Christ and the enlightenment of Buddha*.

Henri Bergson, the famous French philosopher and Nobel Laureate speaks of "two sources of morality and



religion": the closed society and the open society. Closed society has a static morality, open society has a dynamic morality. We all seem to be caught up in the evolution of humanity still struggling, where the powerful seem to conquer and manipulate the powerless. It is the powerful nations which dictate terms to the less developed countries and have their way at the United Nations. "Mankind lies groaning or crushed beneath the weight of its own progress" says Henri Bergson. "Humanity must set about simplifying its existence with as much frenzy as it devoted to complicating it. The initiative can come from humanity alone, for it is humanity and not the alleged force of circumstances, still less a fatality inherent to the machine, which started the spirit of invention along a certain track."<sup>9</sup> A few of us have to take the lead, as a critical group of people, who participate in a creative endeavour to enable others to realise their humanity - as we are all in the process of a creative evolution, expressing our consciousness - inner values of life.

Spirituality is a human experience. A spiritual experience is essential for the existence of religion. However, a religion may include spirituality or may not. Many religious people practice a religious dogma - which may not have a spiritual experience. An authentic spirituality embraces entire humanity and expresses integrity of creation and its beauty. Seeking a spiritual basis for development of humanity is to seek a global view of development, as many of the problems of development show there is no easy answer to achieve a goal like eradication of poverty. The development issues are entailed with environmental concerns which are in turn intricately mixed with people at grassroots like the Dalits and the Tribals in India, struggling to raise their voices and standard of living. We need to see the grassroot problems in

a global perspective and we belong to this planet. We share a relationship - that we belong to one mankind which belongs to this planet - earth.

The right to progress, to come up in life, to get rid of poverty is an inalienable human right. The United Nations has acknowledged this right.<sup>10</sup> We need freedom from hunger and thirst. We need full human rights - that is without discrimination and injustice whatsoever. We have the ideals. The problems are more at a practical level of implementing the ideals. It is said that the present condition of the human being is that we are "global citizens with a tribal mind".<sup>11</sup> That is, people who seek world unity are struggling to overcome their own personal prejudices and limitations. The Late Dag Hammarskjold, Secretary General of the United Nations in 1958, recalling his vast experience of working with the international community mentioned: "The conflict between different approaches to the liberty of man and mind or between different view of human dignity and the right of the individual is continuous. The dividing line goes within ourselves, within our own people and also within other nations. It does not coincide with any political or geographical boundaries. *The ultimate fight is one between the human and the subhuman.* We are on dangerous ground if we believe that any individual, any nation or any ideology has a monopoly on rightness, liberty and human dignity. When we fully recognize this and translate our insight into words and action, we may also be able to re-establish full human contact and communications across geographical and political boundaries".<sup>12</sup> We have to see the human evolution in this perspective.

Erich Fromm in his book "*Sane Society*", attempts a synthesis of psycho-analysis and socio-analysis. In a



humanistic psychoanalysis he counters the pessimism of Freud on our civilisation. It is obvious that we are groping for new paradigms. After analysing the dynamics, underlying the great problems we face like cancer, crime, nuclear power, inflation, and the energy shortage, the famous physicist - author Fritj Capra offers a vision, a holistic paradigm of science and spirit.<sup>13</sup>

Transformation on a personal level, growth of self, and spirituality become essential criteria for global world order. In the new world order, everyone has to contribute: we should see conflicts really end. NGO's can play a greater role in bringing the social change for the 21st century. For many NGO's it will not be an easy task. Small action groups have a tendency to get stuck with local problems without the advantages of the vision for the people and humanity. Some social activists ignore spiritual dimensions of human nature. It is therefore important to examine the relevance of stereotype concepts to the emerging new issues. As an agenda for the NGO's I suggest the following guidelines for evolving a new world order.

- ❖ Military expenditure to be drastically reduced in every State.
- ❖ To find alternative occupations for people engaged in armament industry. It is worthwhile to create a team of workers to provide water, to remove hunger and famine and to create much-required medical relief etc. In otherwords, the money spent on military expenditure should be diverted to people's well-being and remove evils like hunger and disease that plague humanity.
- ❖ Strengthen the role of the United Nations and contribute to its restructuring to make it effective instrument of international peace and justice. The reorganisation of

the UN should reflect people's aspirations instead of allowing the UN to become a super-bureaucracy. It should become people's parliament instead of an inter-governmental bureaucracy limiting itself to the games of super powers only.

- ❖ The employees of the world organisations like World Bank, the UN Agencies draw a salary comparable to the best in the developing countries. This is to discourage affluence and high cost of living in Capitals of Northern countries like New York, Geneva, Vienna, etc. It is ideal to locate headquarters of world organisations in South nations, which are developing to get the maximum benefit of these international organisations.
- ❖ When States or National leaders violate justice and peace they should be made to accept an international discipline, enforced by economic sanctions, and universal human laws.
- ❖ We promote "people to people" movements to overcome the limitations of national boundaries-government to government transactions- to provide human solidarity for people who are struggling all over the world for their freedom and justice.
- ❖ We persuade the governments which use the money from citizens' taxes for funding different government projects, to provide substantially for building people's movement that is encouraging non-governmental initiatives.
- ❖ To promote a culture of non-violence and respect for human beings.
- ❖ Establishment of a World Government with universal laws ensuring individual freedom.
- ❖ The world is looking for new citizens, people who can



lead us to a new world to become conscious of the revolutionary process of a new humanity. This requires new world citizenship laws and regulations. As a prelude for the new world order, we create an International Peace Service of volunteers who can serve for development work.

Dr. Jonas Salk spoke of reality. " There are few indeed who can make choices of direction that would lead to the avoidance of catastrophe and the solution of problems that have arisen in the course of evolution. But such individuals do exist. It matters little that they are few in number. Only a few are needed to visualize and initiate a process that would become self-organizing, self-propelling, and self-propagating, as is characteristic of evolutionary process. Our first need is to counter the anti-evolutionary influences and to move consciously into the next stage in human evolution. It is a new beginning".<sup>14</sup>

Yes, we have to begin anew in terms of a new reality. It is time to give up old cliches and jargons. It is time to open up ourselves to innovation for the future. In the area of innovation, stereotypes of the old recede. Human Rights and environmental issues are all linked with Development and Socio-economic justice. We need to take this new challenge and be open for new solutions as we move towards the 21st Century.

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# THE DALIT QUESTION: SEARCH FOR A HUMAN FUTURE

DR. K. WILSON

**F**or quite sometime all of us have been abundantly using the term "Dalit" with reference to certain particular segregated castes. Dalit problem too is viewed and dealt with as a caste problem, and that too as the problem of some sub-castes. But in itself, the term Dalit does not denote any caste or sub-castes. If this term is ever used with reference to the "untouchables" sections of India, it is purely on existential grounds only and not on the basis of caste. It is addressed to describe the human condition of particular castes and sub-castes which are subjected to sub-humanity, deprivation, and marginalization. It manifests the culture of the fourth World. According to the fundamental human rights implemented at the U.N.O., in 1948. "All Human beings are born free and equal in dignity and rights. They are endowed with reason and conscience" (Article-1). But this is not in the case of Dalits in India. The following articles make no meaning to them. Everyone has the right to life, liberty and security of person (Article-3). No one shall be held in slavery or servitude; and the slave trade shall be prohibited in all their forms. (Article-4). No one shall be subjected to torture

or to cruel, inhuman or degrading treatment or punishment. (Article-5). No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, not to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks. Everyone has the right to freedom of movement and residence within the borders of each state. (Article-13). Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. (Article-16.1). Everyone has the right to own property alone as well as in association with others. (Article-17.1). No one shall be arbitrarily deprived of his property (Article-17.2). Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and public or private, to manifest his religion or belief in teaching, practice, worship and observance. (Article-18) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment. (Article-23). Everyone, without any discrimination, has the right to equal pay for equal work. (Article-23.2) Everyone has the right to rest and to leisure, including reasonable limitation of working hours and periodic holidays with pay. (Article-24) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. (Article-25.1). Everyone has the right to education. (Article-26.1). Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. (Article-26.2). Everyone has the right freely to



participate in the cultural life of the community, to enjoy the parts and to share in scientific advancement and its benefits. (Article-27.1)

But millions of Dalits are not privileged to enjoy these rights. They cannot choose their residential areas, cannot vote according to their wishes; they are not privileged to dine along with all the others. They have no capacity to possess immovable properties. They do not have opportunities, for better education; do not have employment opportunities. They are powerless to participate in the decision making process. They cannot dare to ask for justice or for just wages. For that matter, they cannot exercise their right to claim their human right. This is the reality. In short, they have no right to be human in their own land. They have only one right, i.e., to be servile under and serve the interests of the elites and the privileged. If and when they break this, then, they are considered to have violated their right. This perhaps functions as the Indian model of human right. Their right to be human is questioned and systematically denied from their birth to death. But such violations have not been focused by organizations such as Amnesty International, the scope of which is limited to things such as tortures, rapes, and deaths in police custody, imprisonment without trial. The A.I., is dealing with the problem of human rights in terms of State verses the people. But the problem of Dalit human rights is intertwined with the Indian society verses the Dalits. This the A.I., does not seem to be concerned with. Strictly speaking, if there is any community which has the problem of right to be human beings, it is these Dalit sections only. Their sub-human conditions substantiate this. But, on paper, it is as though they have all the rights on the face of the earth. Without their name there are no newspapers, no elections, no foreign aid, no political manifest, no development projects. It

looks the entire India revolves around them. But the only thing is they remain where they were.

But why have Dalits not raised the question of human rights. Because, they are unconsciously-conditioned by the problem of caste. They have neither authentic self-knowledge nor authentic self-identity. Since the Indian marginalized do not have authentic self-consciousness, things like self-effort, self-development, self-growth have not taken place in the history of the Indian marginalized. They are not partners in the making of history though a greater share in making this country prosperous. Not that they are devoid of consciousness as such. They are conscientized to be conscious of the world in the way in which the discriminators wanted them to be conscious of. Such a consciousness can only be described as a manipulated consciousness and not as a self-developed or naturally developed consciousness. Briefly stated Dalits are made to be exclusively caste-conscious. With the result, their beings, i.e., their objective (life) human relations too are determined by their dictated consciousness i.e., their caste consciousness. They therefore are deprived of concerning themselves with their human condition. They are made to live, move and have their being within the limits of caste only. The consciousness that is imposed on the Indian downtrodden is consciousness of their weakness, wretchedness, unworthiness, incapacity, untouchability etc. When they, therefore, look at themselves over against the others i.e., the so-called privileged and the dominating sections, they developed a self-hating, and self-disrespecting psyche. For a long time, they enjoyed in their slavery believing that they are fulfilling their dharma as destined by God. It is their perennial caste-consciousness that came in the way of Dalits from struggling for their human standing in the society. They are so acculturated to caste consciousness; they could not develop human consciousness. The truth of the matter is as



long as Dalits keep themselves engrossed with the problem of caste, they can never emerge as the champions of their human rights. It is high time that Dalits proclaim forthwith a moratorium on the question of caste which keeps sidetracking their human issues. They must begin to assert their human standing and their right to be human, inspite of their caste affiliation.

But how can this transformation take place at the level of consciousness. Dalits must recover this authentic self-knowledge and self-identity. The recovery of their authentic self-understanding takes place when the veil of ignorance is removed from their consciousness. This ushers in the unfoldment of their true but hidden humanity. Authentic self-knowledge and self-identity alone can empower them for self-fulfillment. Such a recovery of the true consciousness situates the man of the Fourth World in a historical predicament. He ceases to be natural and emerged historical. It is precisely such historicity that triggers the self-shaping of the being of the neglected (Dalit) India. Awareness of authentic self-identity is precondition for constituting a new future. A radical return to their original self-understanding through unrolling their history, can play a revelatory as well as a revolutionary role in carving their future. This calls for a journey into their cultural and psychic past. Such an exercise takes place in retracing their historical origins and essential roots. It is not merely the awareness of the falsity of the imposed self-image, but the consciousness of the sacredness of their own self that promises for an unconditioned future. Such an awareness and the recovery of authentic humanity enables a person to respect and assert himself and his social standing. Assertion and respect for one's own caste reflects the recognition by one of his inner and thus far unacknowledged humanity. Today, Dalits in India, have not

come out of the elitistic trap of caste. Instead of raising their right to be human, they are still grappling with the problem of caste. It is as though their future, their humanity hinges on caste problem. They therefore argue that to regain or resort their humanity, caste must be removed. On the other hand, there are some who treat the problems of caste and humanity as identical.

Caste is an idea; a psyche; a tradition; an inheritance, a unit with certain specific characteristics. It is part of Indian reality. Every Indian inherited a social form such as tribes, castes. At the same time we are endowed with certain rights to be human by virtue of our inherent humanity. I have a right to be human regardless of my caste. My humanity does not depend upon my caste. Humanity is not the private property or monopoly of any particular caste. One need not disown his or her caste to attain one's humanity. My prestige or my value does not depend upon my name. I do not have to change or disown my name in order to attain fame and prestige. So is the case with caste. Let us not look down our own caste. In the same vein, let us not look ourselves down. Contemporary Dalits must come out openly and respect, assert and function within their own caste.

Dalit redemption from caste stigma takes place when Dalit learn to respect their own social forms viz; their castes and sub-castes. As long as Black people in the West believed and practised the Whiteman's interpretation of their colour, the Black man thundered saying that my very blackness is the source of my beauty; the Black community emerged as authentic human beings. It is this which should happen in the Indian context also. To accomplish this, a team of Dalit Youth must dedicate itself for the cause of human rights education to the Dalits, particularly at the grass root level. Human rights can be asserted in terms of two things. The one



is one's consciousness of himself or herself; i.e., in one's undiluted confidence of himself or herself as a human being. The second is one's own being i.e., in one's objective life. This has to do with his material standing and the concomitant relations his or her human right standing without inhibitions. A conscientized poor man finds it an uphill task to realize his human standing. Unless a person is materially developed, it will be difficult for one to exercise one's human rights. Hence, the term human right must, in the Indian context, be interpreted as "Human Development". Right without development is a contradiction in terms.

Dalit youth must engage themselves in communicating two kinds of education. 1) Consciousness education 2) Development education. The former is aimed at unfolding the undiluted humanity of Dalits inspite of their poverty. The second seeks to create an urgency among the Dalits to improve their material conditions. Dalit youth must shoulder this responsibility for educational movements. By doing so they will be creating a new history in the life of Dalits. It is imperative that a clear-cut action programme on human rights education is drawn and implemented to Dalits in all the State, District and Gram Panchayat levels. A national programme for human rights education must be launched forthwith. This task can be undertaken only by Dalit Youth.

"A new man is emerging. He is the man of the Fourth World. His World is going to be found neither on the power of capital nor on the forced ideology, but a World based on the knowledge of what it means to be human. Let the Dalit Indian become partners of this human future by working as the agents of its concretization"

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# SOCIETAL SCENARIO IN CONTEMPORARY INDIA

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**W**hen challenges are posed to the secular ideal of our democracy, when our secularism is also threatened by the revivalist, fundamentalist forces. Violence in Punjab, Kashmir and Assam is threatening the federal structure of the nation. It is time indeed that we took a serious note of "Societal Scenario in contemporary India", It is true we do some fresh thinking and search for new directions and new solutions for our vexing socio-economic and political problems. My own task is to look at the "Dalit Scenario".

The Significance of Dalit Perspective: It is beyond the scope of this paper to give an exhaustive account of the Dalit Scenario in Contemporary India. All that I can hope to do here is to raise some issues related to the Dalit Scenario which need our attention. This does not mean that the question of the Dalit Perspective is not an important question. On the contrary, it could be argued that no adequate account of "Societal Scenario in Contemporary India" could be given unless one took a serious note of the Dalit issue. Indeed, some Scholars feel that the question of dalits is the central issue for Contemporary India. Alexandra George writes:



The future of the Scheduled Castes is indeed the touchstone on which India's future in the modern world and perhaps its whole political system will be tested. For the question of the Scheduled Castes is but one segment of the dilemma facing Hindu Society in the attempt to restructure for India its ancient eroded foundations. Traditional attitudes towards the Scheduled Castes are merely an extreme example of attitudes towards other minority or linguistic groups. The whole, question of the plurality of Indian Society and the achievement of a new harmony no longer dependent on hierarchy will depend considerably on the capacity of upper-caste-leadership to restore confidence among the Scheduled Caste" (Social Ferment in India, PP.202F)

Prof. M.N. Srinivas too recognizes the importance of dalit issues and writes:

"A depressing Scenario for the future concerns the conflict between dominant, land owning Castes and Scheduled Castes. This is likely to become increasingly violent and bitter, and will be a primary arena for the struggle of equality in India. There is a positive aspect to the conflict between the dominant and high Castes and the Scheduled Castes, which is important and must be noted. Bloodshed, incendiarism, death, and rape have to be seen as integral parts of the process of translating into reality the rights which the Constitution of India grants to Scheduled Castes and tribes. To say this is not to condone the savage attacks, but to acknowledge that the conflicts are part of a process of social, economic and political change"

*("On Living in a Revolution", India 2000; The Next Fifteen Years. PP 16-18)*

The dalits thus become the test case for deciding whether or not we want to translate the ideals of "liberty,

equality and fraternity” enshrined in the Constitution of India into reality. This is why I want to maintain that the question of dalits should become an important issue for this seminar. The Mandal riots have demonstrated once again how sensitive this area is and how deep seated the hatred against the dalits is.

I would like to present the dalit perspective keeping in mind the following aspects; 1) Dalit History and Culture, 2) Dalit Religion, 3) Dalit Sociology, 4) Dalit Economics, 5) Dalit Politics, 6) Dalit Movements and 7) Dalit Literature.

1) Dalit History and Culture: The Question of the history and culture of dalits is important for the dalit identity. There are several theories about the historical Origins of the Caste-System. What must be noted however, is that the dalits are outside the four-fold caste system in India.

They are the Avarnas. The question of dalit identity is the question of this people's roots and their historical consciousness. History is important for them, but the current dominant historiographer is not on their side. The academic historian demands historical sources-particularly written sources or archeological findings. When we consider the question of the history of the dalit people we face several problems. More often than not the dalit people have no written historical traditions. Their histories are oral based on oral traditions. Added to this difficulty is the fact that by general consensus dalits were a conquered people. Their history therefore, has to be constructed from hostile sources. What is needed is historical scholarship that is “interested” in dalit issues and which will look at their oral traditions more sympathetically and consider them as “alternative” historical sources.



Having studied carefully the question of the historical origins of the dalit people and having based this study on the Rigveda and other religious text, Prabhati Mukherjee concludes thus:

It is true that history of that period is based more on conjectures than on facts. Nevertheless, valid conjectures made by piecing together the various strands of indirect evidence would result in a working hypothesis. Further resparches may then prove or disprove the validity of arguments and supply materials for the lacunae of the present study belonging to one of the shadowy periods of Indian history. The next part of the study, if possible, will be based on oral history from the untouchables.

That is to say, an empirical investigation is planned to find out what they themselves think about their origin, future, betterment of their lot, etc. Thus, we shall have views on untouchables from the "top 2 and the "bottom", and also from 'Outside 'and 'Inside'.

*(Beyond the Four Varnas: The Untouchables in India P.16)*

Standing within the current tradition of the academic historiography, Mukherjee uses such words as "Conjectures", and "indirect evidence" but she does recognise the importance of "Oral" history, views from the "bottom" and also from "inside". Another important piece of historical research is Malati Shendge's *The Civilised Demons of the Rig Veda*, (Abhinav Publications, New Delhi, 1977)

Among dalit historians, there seems to be emerging a consensus that the dalits and tribals were the original inhabitants (Mul Bharatis, Adivasis) of India and therefore, their history and culture are not only Pre-Aryan but also Pre-Dravidian. If so, this claim of being the indigenous people of India needs to be examined. Apart from the Dalit oral

histories it is also necessary that the rituals, rites, festivals and other ceremonies of dalits are studied with a view to understanding their distinctive history and culture.

Professor Siddhalingaya, a member of the legislative Council, Karnataka made an interesting and illuminating presentation on dalit culture. It was based on his painstaking research which analysed the myths and Folksongs of dalits. He made the following points:

- 1) That the Dalit Deity was a servant of the people. b) That the Dalit Deity refused to dwell in temples and identified himself/herself with the homeless. c) The Dalit Deity is a God of poverty. d) Dalit culture maintains both the need as well as the worth of daily works. e) Most of the dalit deities are female. [Arvind Nirmal, (Ed.) *From "No People" to God's People* PP.29f.]
- 2) Dalit Religion: From the above section we note that both religion and culture of the dalits were different and distinctive from that of Brahmanic religion and culture.

Prabhati Mukherjee writes:

Overt reasons given for the Rigvedic people's enmity toward these groups were religious, cultural and ethnic. The Asuras did not worship Agni, the god par excellence of the Suras and others were culturally inferior and ethnically different. It was candidly admitted that, since they did not worship the same god or offer sacrifices like the Rigvedic people, they ought to be subjected

What exactly the features of the religion of dalits were is difficult to say. A study of some of their prevailing religious practices indicates that they worshipped their ancestors and as mentioned above they also worshipped female deities. The social system was based on matriarchy. Historically, the Aryans seem to have inflicted double injury on the dalits.



Through the subjugation of the dalits, the Aryans without making the dalits full members of the Hindu society, brought them into the Hindu fold only to assign them a subservient role so that they could be exploited as the cheapest possible labour anywhere in the world. As far as religion was concerned, the dalits were not given any access to the temples, were denied worshipping rights, but the exploitative doctrine of Karma Samsara was used to make them believe that their status as dalits was determined by their Karma in their past lives. This was nothing less than double deprivation. The question of dalit religion, therefore, is important for understanding the modern dalit movement. In fact, the modern Dalit movement starts with the phenomenon of mass conversion movements.

Unfortunately, these mass conversion movements of the dalits have not received a proper attention from Indian historians. The modern dalit movement is inseparably bound with this mass conversion movements. Dr. John Webster writes:

The defining characteristic of the first stage in the modern Depressed Classes movement was mass conversion, especially to Christianity, as this was the most dramatic and alarming step the Depressed Classes took in the nineteenth Century to improve their lot. This stage may be dated from the 1860's or 1870's through the 1930's. The Depressed Classes themselves took the initiative in conversion. Usually a caste brotherhood or a portion of it in a particular village decided to convert and then encouraged their friends and relatives in neighbouring villages to convert as well. This they did because they thought conversion would be good for their people. Recent studies have indicated that the primary 'good' converts had in mind was not economic (as economic reprisals for out

weighted any economic benefits received) but social and psychological: a chance to acquire helpful friends outside the village, and most important of all, a new sense of ones own worth, dignity and self-respect which came with conversion.

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had in mind was not economic (as economic reprisals for out weighted any economic benefits received) but social and psychological: a chance to acquire helpful friends outside the village, and most important of all, a new sense of ones own worth, dignity and self-respect which came with conversion. [*From Indian Church to Indian Theology: An attempt at Theological Reconstruction* in Arvind Nirmal edived, *A READER IN DALIT THEOLOGY*, PP.97]

It was this deluge of mass conversion that awakened some thinking Hindu reformers to make special efforts to improve the conditions of the Depressed Classes. The initiative during this second phase of the Dalit movement was with caste Hindus led by Gandhi and Harijan Sevak Sangh. The undisputed leader of the Dalit movement, Dr. B.R. Ambedkar too was convinced that a conversion to a religion other then Hinduism was the only way left open for him. In 1935, he publicly denounced Hinduism its customs and traditions and said "Even though I am born a Hindu I will not die a Hindu". After his conversion on the 14th October 1956 he said that he felt as if he had been released from hell. He embraced Buddhism and this new religions appeal lay in the fact that it stood for a casteless society.

Religion continues to play a crucial role in the Dalit movement. The continued desperation of the Dalits was underscored in February 1981 when a spate of mass conversions took place in Meenakshipuram and Ramanathapuram in Tamil Nadu. These conversions in the South sent religious and political shock waves among organisations like RSS and VHP.

Our task seems to be two fold. On the one hand every attempt must be made to reconstruct the Pre-Aryan dalit religion through an indepth research and also write reliable



histories of mass conversion movements in different regions. Politically, it must be ensured that dalits have a real choice in choosing to follow a religion that they want to. The Presidential order of 1951 is discriminatory in that the economic and other benefits are extended only to the dalits belonging to the Hindu fold and Sikh faith. The V.P. Singh government also included the Neo-Buddhists last year. But the converts to Christianity and Islam are still discriminated against. This order in fact negates the fundamental right of freedom of religion. It also betrays the professedly secular governments Pro-Hindu bias.

3) Dalit Sociology: Sociology is the study of the Structure and functioning of human society. More broadly, it could be defined as the study of social reality. E. Durkheim has said that "a Society is not simply the mass of individuals that comprise it, nor the territory it occupies, nor the things it uses, nor the movement it carries out but above all it is the idea that it has of itself". [*The Elementary Forms of the Religious Life*, P.618]

How do the dalits then perceive their won social reality? The following points could be make. They see themselves as a people discriminated against socially, religiously and economically. Secondly, they see themselves as Oppressed Communities. Thirdly, they see themselves as a people who are exploited by others. Fourthly they see themselves as a people who are dehumanized. Fifthly, they see themselves as a people who have been defeated, dispossessed and deprived by others. Finally, they see themselves as a people on the Periphery of the Indian social life. The 'Periphery' is not only in the literal sense of a geographical location- their existence on the outskirts of the Indian Village-but also in the sense that the rest of the society behaves as if the dalits simply do not matter.

In addition to the above listed characteristics of the dalit social reality, we should also add their Segregation and their Scatteredness. The net result is that they have developed, why Bishop Azariah calls, "Wounded Psyche".

But perhaps the most serious social handicap of this people is what I call the "Casteism of the outcaste" people. Technically, they are outside the Varna (Four-fold caste system) system, but because of the all pervading casteism of Hinduism, they are divided into further Sub-jatis. Thus we see the Malas and the Madigas and the Mahars and Margs going for each other's throats. The "Dalit Scenario" presents a picture of greatly disunited dalits.

4) Dalit Economics: The economic life of the dalits again presents a depressing scenario. The government's own Sixth Five-Years Plan document for 1980-85 admits:

Three decades of development have not had the desired impact on these socially, economically and educationally handicapped groups. Their problems cannot be resolved through the percolation of general economic growth. The majority of the Scheduled Castes and Scheduled tribes, who from one-quarter of population, are below the poverty line—Continuing to pursue traditional Occupations, they are unable to participate fully in the process of modernization. The practice of untouchability against Scheduled Castes is a special handicap for them, and even the few educated groups amongst them are unable to compete for job opportunities created while Scheduled Tribes still remain outside the mainstream of development mainly because of their relative isolation and their exploitation by outside agencies.

[Sixth Plan Document 1980-85.P.417]

The situation did not change much even in relation to the Seventh Plan. In the context of the Seventh Plan P.S. Krishnan writes:



The situation of the Scheduled Castes is the result of economic exploitation and depravation and structured and organised inequality, in their extreme form, over the centuries in our country, particularly in the rural society and economy. (*Development of the Scheduled Castes" in Seventh Plan and Development of weaker sections, ed.J. Kananikal, ISI, P.41*)

The "Positive discrimination" policy of the government also has not helped very much because of the persistent prejudice against dalits among the higher castes. The Economic and political weekly reports that:

There is an instance in the medical faculty of an SC student accorded a high percentage of marks in the previous exam and failing in the first year MBBS exam, but passing smoothly after he got his surname changed into that of a higher Caste.

The same report tells us that some scheduled caste students when they applied through the reservation were told at their faces that they should become sweepers and scavengers not doctors. (*I.P. Desai, "Anti Reservation Agitation and structure of Gujarat Society, "EPW, 2 May, 1981, P.819*)

Thus both in rural and urban situations, dalits are economically handicapped. The most significant characteristic of the dalit population is the disproportionate burden of agricultural labour they carry. The proportion of agricultural labourers among rural made workers of the dalits and dalit converts is 52.55 percent against the corresponding proportion of 12.78 percent of non dalit population. Even in the spheres other than agriculture, the dalits have to do a good part of hard, hazardous, low-income, low prestige, low-status labour. When we look at the urban occupational pattern of the dalits, it may be seen even the famous modernising trend of urbanization has by-passed them to a great extent.

Against this economic scenario, some of the following schemes must be tried. Integrated economic development schemes for different occupational groups. Integrated economic development schemes for bringing about occupational mobility. Educational development schemes, Schemes for providing essential needs and continued positive discrimination. *[Krishnan, OP. Cit., P. 58]*

5) Dalit Politics: Through the initiative of late Dr. B.R.Ambedkar, three different experiments have been tried. They were a) Independent Labour Party, b) Scheduled Castes Federation and finally c) the Republican party of India. As we know, the Republican party of India has had several factions. It has ceased to be an effective political force. Dr. Ambedkar's vision that the RPI would be a party of all weaker sections has not been realized. There are several reasons for this. The "Casteism of the Outcastes" is one such reason. Then political reservations have been manipulated by political parties in such a way that the dalit electorate were always divided. Perhaps the earlier dalit demand for separate electorate should be reconsidered in a fresh manner. What is the role of caste in Indian Politics? Should we accept Rajani Kothari's thesis that both politics and caste are undergoing changes through mutual interaction? [Caste in Indian Politics, Introduction, PP. 3-25] Can the caste itself be used creatively for a more dynamic politics? Will such a use be too risky and dangerous? These are some of the issues that we must consider.

But in the meanwhile some of the realities the dalits face in their exercise of their political rights should worry us. They are not even allowed to exercise their right to vote freely. Alexandra George writes:



During the last 1980 general elections the chief Election Commissioner received reports from many constituencies about intimidation and assaults on Scheduled Castes and lower Castes. In Katha Village only 30 km from the Capital, New Delhi, Scheduled Castes were chased away from the special polling booth set up for them and told their votes would be cast for them. In Haryana in thirty villages in Rohtak district, thirty villages in Sonpat district and fourteen villages in Mahendragarh district polling booths were captured and SCs were stopped from voting.

[Op.Cit. p. 212]

Dalit Movements: Above, I cited John Webster's historical analysis of the phases of the Dalit movement. The first phase was characterized by the mass conversion movements. The second by the caste Hindu efforts at social reform. According to Webster, the third phase dated from the 1920's to the present is characterized by self-assertion and self-reliance on the part of the dalits. [OP. Cit. P. 100] This indeed is the right direction for the dalit movement to take.

No adequate typology of dalit movements has been developed so far. There are, however, two notable exceptions Ghanshyam Shah classifies dalit movements into a) Reformatory and b) Alternative. The former tries to reform the caste system to solve the problem of untouchability and the latter attempts to create an alternative socio-cultural structure by conversion to some other religion or by acquiring education, economic status and political power. Shah further divides the Reformatory type into a) Bhakti movements, b) neo-Vedantic movements and c) Sanskritization movements. The Alternative movements are divided into a) Conversion movements b) Secular Movements. [Ghanshyam Shah, *Social Movements in India*, P. 108]

The second attempt at typology of the dalit movements comes from T.K.O. Oomen, His classification is as follows: a) Bhakti movements trying to purify Hinduism b) Movements oriented to a reinterpretation of Hinduism so as to cleanse it of its evil accretions notably neo-Vedantic movements and c) Movements rejecting Hinduism-conversion movements.

*[Women, Protest and Change: Studies in social movements, P. 258]*

It is obvious from the above two typologies that the reformist types are opted for by caste Hindus and the alternative types are opted for by the dalits themselves. Gandhi and Ambedkar belong to the two types respectively. Perhaps we need both of them. The dalits need to assert themselves and their rights and the caste Hindus need a change of heart.

6) Dalit Literature: Dalit literature or Dalits Sahitya movement originated in Maharashtra in the early 1970's. Its has derived its inspiration from Ambedkar's writings. It seeks to become the voice of the voiceless. From Maharashtra, it has now spread to Karnataka, Tamil Nadu, U.P. and other states. The three distinguishing marks of Dalit Sahitya are: a) Pathos, b) Protest and c) A search for better tomorrow.

Most of the dalit writes are actively involved in the actual dalit struggle movements. Dalit literature has raised the question of appropriate alternative literary criteriology. It has enriched the respective languages and made literature more life-oriented and realistic. [Arvind Nirmal, "A Dialogue with Dalit Literature" in M.E. Prabhakar edited, Towards A Dalit Theology, PP. 64-82]. Most of the Universities now have a separate branch of study for Dalit Literature.



Conclusion: What is presented above is only a rough sketch of the Dalit Scenario. We need these type of studies. The Socio-economic and Political sphere requires a participatory liberative" type of research - one which includes Dalits greatly.

These studies will enable us to move in the right direction of realizing our Constitutional ideals of Liberty, Equality and Fraternity.

*Courtesy: Centre for New International Economic Order,  
Madras*

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*Dr.Arvind P.Nirmal (Late) was the Professor of Dalit Theology in Luthern Gurukul Theological College and a well-known Dalit Scholar.*

# PUTTING SOCIETY TOGETHER AGAIN

**PROF. P. RADHAKRISHNAN**

“SOCIAL EXCLUSION: Rhetoric, Reality and Responses”\_ a research project launched by the International Institute of Labour Studies (part of the ILO) at the instance of the UNDP, was supposed to be a major input on social exclusion to the recently held World Summit for Social Development. A close look at this study, however, reveals that its use of social exclusion is not only narrow and Eurocentric, but, in keeping with the main concern of the ILS, is also labour-centered.

For a highly stratified society like India, where social exclusion is too complex, deeply embedded in India's caste and cultural quagmire, poverty and exclusion from labour and labour-markets (the other inputs of the ILS to the Summit) are only derivatives. The ILS project has hardly anything to offer on social exclusion in India other than a brief write-up on basic needs. From the last-minute volte-face of the ILS by reneging on its commitment on the major component of the Indian study based on caste, and from the glaring omission of caste-based social exclusions from its study, one gets the impression that there was a belated attempt at annihilation of caste at Geneva as well.



Whether India would have benefited at all from the Summit even with a detailed study of caste-exclusions is a different issue. What is to the point is, social exclusion is too complex and convoluted to be pushed into an economic straitjacket and equated with poverty and market exclusions as the IILS project has attempted to do.

Social exclusion is pervasive, and characteristic of all societies, appearing in different forms with different intensities and degrees of salience: for all societies are classified in some way, all classifications are based on social distinctions, and virtually all social distinction means exclusion of some kind. However, the term is not used here in this catch-all sense, but in the sense of systematic marginalisation and exclusion of individuals and groups from one or more dimensions of society such as its structures of power and privilege, opportunities and resources.

Social exclusion is intertwined with, and is the working out of societal processes underlying structural inequalities, social satisfaction, social ordering, social control, social coordination, multiple configurations and reconfigurations of social life: and exclusionary practices manifest as dominance and dependence, superordination and subordination, privileges and disabilities and so on.

As a social phenomenon social exclusion is defined in many ways, interpreted differently in different context at different times. It is also loaded with numerical economic social political and cultural connotations and dimensions and saturated with meanings, non-meanings and counter-meanings, so that as a concept it is "essentially contested", evolving and context-specific.

Exclusion discourse has recently become part of the political vocabulary of European countries. Today Belgium,

Denmark, France, Germany, Italy, and Portugal have introduced institutions to discuss or act on exclusion. The discourse figures prominently in French political rhetoric and in the construction of the European Union.

In France, the discourse appeared in the 1960s with vague and ideological references to the poor as “the excluded”. In 1974, the Gaullist Chirac government estimated that “the excluded” made up one-tenth of the French population: mentally and physically handicapped, suicidal people, aged invalids, abused children, substance abusers, delinquents, single parents, multi-problem households, marginal social persons and other social ‘misfits’ all unprotected by social insurance at the time but labelled as ‘social problems.’

The discourse became widespread in the 1980s, when the term became central to French debates about the nature of the “new poverty” associated with technological change and economic restructuring, and came to refer to more and more types of social disadvantage: and more importantly, to a process of social disintegration, a progressive rupture of a social bond (*lien social*) between the individual and society, referred to as social solidarity, as a result of long-term transformations in the structure and organisation of economic life.

As a result of this tearing of the social fabric, and in response to criticism of the Socialist Government for rising unemployment and the new poverty by the Right and the Communist opposition, by the mid-1980s, exclusion became a new way to describe the difficulty of establishing solidarities between individuals and groups and larger society. In the early 1990s the Commissariat General au Plan (CGP) in France, which is responsible for designing and evaluating policies to combat exclusion, recognised the State’s



responsibility to nourish "social cohesion", and the need for a different conception of social justice than the one underlying the post-war social compromise which simply insured the population against predictable risks.

As in France, exclusion has recently become a key concept in Western Europe, reflecting attempts to reconceptualise social disadvantage in the face of major economic and social transformations. But its meanings are embedded in the emergence of the term in French political rhetoric and the specific institutional history of the European Union. Whereas in the French tradition, the concept of citizenship and social integration underlies the notion of social exclusion, in the liberal individualist tradition which permeates Anglo-Saxon thinking, citizenship is a social contract based on the possession of equal rights by all individuals, and social integration is viewed in terms of the freely-chosen relationships between individuals, rather than a relationship between the individual and society.

However, this conceptual divide has not prevented the wider adoption of the term in Western Europe. In 1989, the Council and Ministers of Social Affairs of the European Community passed a resolution to foster Integration and a "Europe of Solidarity" by fighting "social exclusion." The preamble to the European Community Charter of Fundamental Social Rights stated: "It is important to combat every form of social exclusion and discrimination on the grounds of race, colour, and religion." The European Commission's White Paper "Growth, competitiveness, employment", called for fighting exclusion and "the poverty which so degrades men and women and splits society in two". The Commission has taken up the concept of social exclusion as central to the formation of social policy and linked it with the idea that it is

the inadequate realisation of social rights. The Observatory on National Policies to Combat Social Exclusion defined exclusion in relation to the social rights of citizens to a certain basic standard of living and to participation in the major social and occupational opportunities of the society.

The exclusion discourse in Europe has been in response to “the new social problems” thrown up by the profound economic restructuring and social transformations which the advanced capitalist countries have been undergoing since the mid-1970s, so much so that the discourse is mostly confined to these problems, and to the advanced capitalist countries. The discourse also does not attempt to capture exclusion as a complex social, .. phenomenon characterised by the Interplay of historical and contemporary, cultural and structural factors, a phenomenon which is widely prevalent in stratified societies like India.

An alternative to this Eurocentric approach is the “closure theory” developed by Max Weber, and elaborated by Frank Parkin, Randall Collins, and Raymond Murphy, for the analysis of domination in society and the countervailing struggle provoked by such domination. That is for the analysis of stratification, class, class struggle, and communal struggle, though the theory is more in the nature of “abstracted empiricism”.

Weber used the term closure to refer to the process of subordination, which is very relevant to understand the continuing exclusion of the bulk of the Indian population from the mainstream society. In this process, as conceived by Weber, one group monopolises advantages by closing off opportunities to another group of outsiders beneath it which it defines as inferior and ineligible. Any convenient, visible characteristic, such as race. Language, social origin and religion, can be used to declare competitors to be outsiders.



Central to the understanding of Weber's theory is his view of the role of ideas and interests in history: "Not ideas, but material and ideal interests, directly govern men's conduct. Yet very frequently the world images that have been created by 'ideas' have, like switchmen, determined the tracks along which action has been pushed by the dynamic of interest". By asking just what those tracks are which are determined by world images and along which action is pushed by the dynamic of interest, Murphy has argued that they are none other than formal or informal, overt or covert rules governing the practices of monopolisation and exclusion. It is these exclusionary rules and codes that regulate and govern society.

To sustain this argument Murphy has given examples of certain world images, based on specific ideas, responsible for (a) laws guaranteeing private property and the market: (b) political rules which govern the wielding of power in the Communist Party: (c) credential rules for entry into bureaucratic positions and corporatist groups: (d) laws governing racial exclusion and inclusion: (e) citizenship requirements as a set of exclusionary barriers which differentiate human beings according to nationality: and so on.

The dynamic of interest has pushed action along these respective track to produce private monopolisation of economic surplus in (a): elaborate the system of monopolisation of power in a hierarchically structured Communist Party in (b): develop a system of monopolisation by the credentialed and the exclusion of the uncredentialed in (c): impel action along the apartheid tracks of monopolisation by the white race and the exclusion of blacks in (d): and propel monopolisation along citizenship lines in (e).

Weber's ideas on closure are scattered in his voluminous work. "Economy and Society" in the context of his discussion

of status groups, power, domination and monopolisation. So, Murphy is justified in claiming that “on the surface Weberian closure theory hardly appears to constitute a unified approach”. However, in understanding the intricacies of the exclusion-domination mechanisms, as expressed through stratification systems such as in India, a close look at the salient features of Weber’s closure theory as interpreted by Murphy may be useful.

Closure is achieved when institutions and cultural distinctions not only create boundaries that keep others out against their will, but are also used to perpetrate inequality. Those within bounded social entities enjoy a monopoly over scarce resources. The monopoly creates bonds of common interest among otherwise unequal insiders. The excluded are therefore outsiders and dominated at the same time.

In the overall structure of exclusion in society a distinction may be made between three types of exclusion tandem : dual or paired: and polar. Most societies have a tandem structure of exclusion, with derivative and contingent sets of exclusion rules harnessed to one principal form of exclusion. That is, the set of exclusion rules, backed by the legal apparatus of the state which is the main determinant of access to or exclusion from, power, resources, and opportunities in society. The principal form of exclusion around which society is organised can be discerned not only by the particular importance of its effects, but also by the fact that it dominates and renders dependent other forms of exclusion. Examples of the principal form of exclusion are the legal title to private property in capitalist societies, the exclusionary code based on the operation of the Communist Party in state-socialist societies, and those based on purity and pollution in traditional Indian society.



The derivative forms are got directly from the principal form. Although they proceed from the principal form, they are not identical with it. They are emergent forms, which are none the less distinct from the form from which they emerge. Examples are mechanisms that tend to exclude racial, ethnic, religious groups or the sexes mechanisms which derive their force from the statebacked legal structures of private property in capitalist societies, the Communist Party in state-socialist societies, or interpretations of laws attributed to the now infamous Manu for different types of caste and sex-based discriminations and exclusions in traditional Indian society, or the contemporary aberration called Hindutva which excludes and discriminates against religious minorities.

The contingent forms of exclusion are the remaining exclusion rules in society. Although not directly derived from the principal form, the very nature of these rules depends on the principal form and their very existence is contingent on it. Examples are professional, credential and licence requirements (like those of doctors).

Societies having a tandem structure of exclusion can be characterised by their principal exclusionary form: aristocratic society by lineage exclusion: capitalist society by exclusion based on the legal title to the private ownership of means of production: command or state-socialist society by an exclusionary code related to the holding of office in the Communist Party: and Hindu society by multiple exclusions based on the characteristics of the caste system.

The dual or paired structure has two principal, and relatively complementary sets of exclusion rules. Example is the paired structure of apartheid and property in South Africa, characterised by two principal sets of exclusion laws, one pertaining to property and the other to race. Property

laws set the determination of material success and of the control of rewards, resources, and opportunities, according to the ownership of property. Apartheid laws completely exclude black people from accumulating property. Going by Manusmriti this structure is applicable to most castes in traditional Indian society, especially the Dalits who were excluded from ownership of land and related resources.

The polar structure of closure has two principal but opposed, sets of exclusion rules as in the contemporary world system one based on private property and the other on the Communist Party characterised by the paradoxical dependence of each of principal forms of closure upon the opposition of and usurpation by the other.

Exclusionary codes are not permanent however much they may appear so while they are flourishing. They are transformed in at least two ways: one contradictions build up as the codes are elaborated. The excluded react in their own interest against their exclusion. Thus, new ideas and new world images are created which eventually transform exclusionary codes. Two, and related, the reigning world images are seen as incompatible with the tracks created by the earlier ones. However, this does not mean that these tracks have been completely abandoned. Instead, they are laid underground in covert, informal network systems and exclusion rules along which the dynamic of interest has produced backstage exclusionary practices. These are partly responsible for the maintenance of discriminations and inequality among races, castes, and the sexes.

As exclusion involves domination, all types of exclusion have the potential to provoke usurpation practices among the excluded groups. The successful usurpation of what previously appeared to be an accepted code of exclusion and its



replacement by another is characteristic of the most important social transformations in history.

The Weberian closure theory goes beyond the Marxian conception of exploitation by focusing on the processes of monopolisation and exclusion which underlie both the appropriation of labour and exclusion from productive labour. Many of the most extreme forms of domination and oppression, even in capitalist societies, are not well addressed by the Marxian conception of exploitation. The chronically unemployed suffer, not exploitation in the Marxian sense of the creation of surplus value through the appropriation of their unpaid labour, but exclusion from the very process of wage labour through which exploitation in this sense occurs.

The term "social exclusion" as understood in Europe has not been widely used in developing countries. However, for a long time now exclusion discourse has been a major feature of Indian Society. This needs to be understood against the background of the caste system.

Caste, traditional India's principal category of social ordering and control, the most elaborate version of ascription-oriented social stratification ever known, which has dominated the lives of the inhabitants of the Indian sub-continent for nearly three millennia, is also the most exhaustive and obnoxious of all known exclusionary systems.

Caste-exclusions are implicit from the principal features of the traditional caste society: segmental division, with membership and status determined by birth: hierarchy, with definite (though not always clear-cut) scheme of social precedence amongst the castes: commensality, with restrictions of feeding and social intercourse: segregation of castes, with corresponding civil and religious privileges and disabilities: hereditary occupation and related lack of

unrestricted choice of occupations: and endogamy, with restrictions on marriage from outside the sub-caste.

They are writ large in Manusmriti among other things, in the duties and occupations ordained for the four chief castes (Karnas): in its "dos" and "don'ts" is for them and in its treatment of women and "mixed-castes" or castes of "low origin", of which the most despised are Chandalas, the "fierce" or lowest untouchables, Caste exclusions are the most glaring in the traditional practice of "distance pollution." untouchability, and treatment of certain castes as "unapproachable" and "unseeable". As Manu's injunctions have been dwelt at length in an earlier write-up ("The Truth About Manu's Misdeeds." The Hindu, November 8, 1992) they are not elaborated here.

Caste-exclusions are rationalised, justified, and legitimised in different ways, mostly based on manusmriti, and by the doctrines of Karma and metempsychosis: The belief that certain groups are intrinsically inferior of others, justified by "attributional theories", differently determined access to the culturally defined desirables, with a caste's rank justified by ritual purity or impurity: the perception of Hindu society as a differentiated but integrated order in which the different parts have different rights, duties, privileges and disabilities as determined by the position of the caste-groups in relation to the whole, and so on.

As the tandem structure of exclusion in India is very old, still persisting in different forms, exclusion discourse relating to it is also very old. It is possible to discern at least four strands of such discourse, all directed against the discriminatory, oppressive, exploitative, and exclusionary practices of the caste system.

First, the protest movements, a major feature of the caste society ever since the Sixth Century B.C. when Buddhism



and Jainism arose in opposition to Brahminism and rejected among other things, the supremacy of the Brahmins and the inequality of caste.

The Bhakti movements in different parts of the country throughout the middle-ages, and Veerasaivism in 12th Century Karnataka, challenged the established hierarchy of caste in the name of equality among men. The Brahmo Samaj founded by Rammohan Roy in 1828 repudiated caste, and established the brotherhood of men irrespective of caste or creed. The Arya Samaj founded by Dayananda Saraswati in 1875 removed the element of birth as the basis of hierarchy, promoted intercaste marriages, and encouraged admitting the untouchables into the category of touchables. The Satya Shodak Samaj founded by Jotirao Phule in 1873, blamed the Hindu religion for creating inequality in society, and the Brahmins for fabricating "sacred scriptures" to maintain their social dominance, and asserted the worth of man irrespective of caste. Sri Narayana Guru, active as a socio-religious reformer for four decades since the 1890s attacked the caste systems especially the supremacy of Brahmins who had denied the Izhavas and other low caste Hindus the right to participate in Brahminical Hinduism, including the right to study the Vedas and to worship non-alcoholic and vegetarian deities. He wanted his followers not to believe in differences based on caste and exhorted them to work for the abolition of the caste system.

B.R.Ambedkar, who described the caste system as a gradation of castes forming an ascending scale of reverence and a descending scale of contempt. like Ram Manohar Lohia and E.V.Ramasamy Naicker (Periyar) advocated its annihilation. It is the new political culture Ambedkar built up in articulating the socio-political rights of the untouchables

which culminated in the Constitutional provisions for formal equality to all and special dispensation to the historically disadvantaged, in particular the Scheduled Castes and the Scheduled Tribes.

Second, since the early 19th Century caste came under severe attack by Christian missionaries like William Ward and the Abbe Dubois especially in the context of the disabilities of the lower castes and women. Ward criticised the institution of caste as one of the greatest scourges of Indian society dooming nine-tenths of the people even before birth to a state of mental and bodily degradation, in which they are forever shut out from all the learning and honours of the country. Both Ward and Dubois deplored the domestic degradation and servitude of women, and their exclusion from learning.

Third from at least the second half of the 19th century, the British administration began to show concern about various forms of exclusion in Indian society. This was mainly in the context of Brahmin dominance, and alienation of Muslims, and social isolation and backwardness of the lower castes and tribals. The debate and the decisions which followed are evident from its educational and employment policies characterised by patronage political concessions, and communal counterpoises and representation.

Fourth, the Constituent Assembly debates recognised the persisting civil effects of past discrimination and the glaring social divisions based on caste, religion, and other social factors, and the need for overcoming them through special provisions for "minorities", "protective safeguards" for the historically exploited, excluded and disabled groups "affirmative action", and so on.

Since the 1950s social exclusion in India has assumed a wider connotation and discourse on it has assumed greater



significance in political rhetoric, and among academics, and more recently in the writings on women, Dalits and other deprived groups.

But in India's development efforts, there has been no coherent and comprehensive notion of social exclusion, no consistent and serious discourse on it and no integrated approach to combat exclusion, though social categories such as weaker sections, women, ethnic and minority groups, backward classes, scheduled castes, and scheduled tribes: and issues such as civil rights, poverty, untouchability, inequality and basic needs all related to exclusion in some way figure prominently in political rhetoric and policy documents.

It is, however, important to note that gained exclusion discourse, whether academic or political, has agined a new meaning and momentum since 1990 with Prime Minister V.P.Singh's decision to implement the Mandal report. The discourse now covers a wide range including emancipatory politics, national justice and empowerment of women backward classes and Dalits.

Having discussed some of the important issues relating to social exclusion and exclusion discourse, one might ask why one should study exclusion. There can be at least three responses to this: one to understand power relations and power and domination as in Weberian closure theory. Two, to use it like the backward classes as a window through which one may view societal processes and political cultures. Three to help combat exclusion through social policies.

As the inversion of exclusion is "Integration", and the process of attaining it. "Insertion", implicit in the exclusion discourse is the exclusion approach. Its value and relevance for policy analysis in Europe is recognised to be descriptive,

analytical, and normative. But, as the nature and processes of exclusion in Europe and India have not been the same. India's approach ought to be different. As exclusion is embedded in the way society functions the approach calls for understanding the role of social processes and institutional structures in creating marginalisation, deprivation, and exclusion.

As mentioned earlier, in Europe exclusion is seen mainly as problems thrown up by economic restructuring and social transformations, and the focus of the social policy to combat exclusion is on social rights, within the framework of a welfare state. In contrast, in India exclusion is mostly historically accumulated and not problems thrown up by economic restructuring, though lopsided development efforts have certainly aggravated some of the persisting effects of past discrimination.

Since the nations of citizenship, social, civil and political rights are new to India and markets (whether labour commodity, or whatever else) are not well developed and India has hardly anything like a welfare system or safety net, the exclusion approach in India ought to focus on these issues.

Exclusion operates at the level of individual group institution, locality, region, nation and so on. It is both cultural and material and is hierarchical in terms of needs and intensity. So there is need for a disaggregated approach in understanding the patterns and processes of exclusion and the nature of the excluded, taking into account historical and contemporary disabilities and problems of lack of integration of particular groups, ethnic, communal, Dalit and backward and of different regions. Inadequate social and economic infrastructure of areas which have insufficient resources for participation in the mainstream of development



is at the root of various "sub-national movements" such as the Jharkhand. Uttarkhand and Bodoland.

The exclusion approach should have greater transparency in the Indian context as governmental and inter-governmental institutions are notorious for rampant corruption, and lack of accountability. People respond to social exclusion in various ways which range from passivity to group action. In the India context, because of the long history of fatalism, a feature of the caste system more often than not the excluded themselves are not aware of their exclusion, and even if they are aware they do not act. So there is need for conscientisation, mobilisation and group action.

Disadvantages arising out of exclusion in India are of multiple forms - economic, educational, social. political, cultural, all deeply rooted in traditional society. So an approach merely confined to the easily identifiable and statistically manipulable basic needs will be mere tokenism, superficial, touching only the tip of the iceberg.

To conclude, as the purpose of combating exclusion is to bring about social integration, and integration is a value-loaded term, in the context of continuing caste, communal, ideological and political conflicts, and widely varying versions of integration such as of the secularities and of the communalists, one ought to ask integration of whom, with whom, how, and why.

(Courtesy: The Hindu dated 27-8-1995)

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# TOWARDS A MORE RADICAL APPROACH TO DALIT LIBERATION

**RT. REV. M.AZARIAH**

*In this essay an attempt is made however briefly first to survey the past history of these ancient peoples called, the Dalits of India today. Secondly, an analytical review of the present situation of Dalits and the revolutionary ferment in their efforts for emancipation. Thirdly and finally to explore the future prospects for their radical and total self-liberation.*

***The second and third part of his original paper is presented here.***

## **FUTURE PROSPECTS FOR DALIT LIBERATION**

Under the rubric, "Towards a Bold Theological Vision" the Madras based Gurukul Lutheran Theological College and Research Institute under the dynamic leadership of Dr. K. Rajaratnam, had recently ventured into launching the very first department of Dalit Theology in all India and had in a brief span of about 4 years produced several publications on the Dalit question. This pioneering example is being emulated by atleast some half a dozen other Seminaries among the 30 odd Theological Institutions under the Serampore University.



The significance of Dr. K. Rajaratnam's initiatives towards a Bold Theological Vision for India consists in his correct analysis and relevant reading of the signs of the times as well as the Socio-Religious and Political and Economic reality of the Indian Context in general and of the Dalit people in particular, in our country today. His basic perception is that Religion is at the root of Dalit problem in as much as the persisting Hindu Religious Caste System is the primary source of Dalit discrimination and Dalit oppression. If the Dalit problem is thus basically and primarily a religious problem, created by the Hindu Religious system of *Varna Ashrama Dharma* with its fourfold, graded, hierarchical Caste-structure treating the Dalit people as an appendage as its fifth-tier bottom section called *Panchamas*, then any solution to this problem or a way out for the Dalit problem has to be found in and through religion. Hence a religious, philosophical or theological approach to the Dalit question becomes necessary and inevitable first step towards Dalit Liberation. Dalit Theology, therefore, should provide the ideological undergirding for the advancement and liberation of the Dalits. Such is the rationale behind Dr. K. Rajaratnam and the Gurukul Theological College, Madras, for establishing the Dalit Theology Department in their task of training of Ministers for the Indian Church.

The insight of Dr. K. Rajaratnam that Dalit problem is basically a Religious one is indeed similar to the perception of the great Messiah of the Dalits, Dr. B.R. Ambedkar and infact, of the great Buddha before him. This could be readily seen practically in all the writing and speeches of Ambedkar now gathered in some sixteen volumes by the Government of Maharashtra. Dr. Ambedkar's own conversion to Buddhism along with half a million 'untouchable' Dalit people at Nagpur

in 1956, was the most telling demonstration of his conviction that the Dalit problem first and foremost called for a religious solution. That is why he had asserted: "I was born a Hindu, but I will never die a Hindu".

Today, the fast spreading reactionary doctrine of 'Hindutva' that is so much at large in the Indian Socio-Political arena with ominous forebodings, threatens to become the majoritarian vision of future society of this land. Perhaps an anecdote will illuminate the emerging scenario. I would recall an accidental encounter I had a few years ago with the Late Swamy Chinmayananda, the then President of VHP (Vishwa Hindu Parishad/World Hindu Society) on an evening plane travelling from Bangalore to Madras; we were chanced to sit next to each other and so I greeted him saying "Swamiji, Namaste" adding, "I deem it a privilege to be seated here". There upon he enquired as to who and what I was. "A Christian Pastor from Madras" I introduced myself, "and I have attended atleast six of your discourses on the *Gita* and had even read some 22 pieces of literature written by the Swamiji and I had in fact written a monograph in Tamil on the "Chinmaya Mission" for the symposia book for the Christian Theological students at Madurai". Then the Swamiji spontaneously declared that there were only two kinds of Indians namely, "those who are Hindus" and "those who were Hindus". In a quick response I found myself objecting saying: "That can't be true Swamiji, because my own grand parents were not Hindus before their conversion to the Christian faith which took place about the close of the past century. They were called Adi-Dravidars. They never went to any Hindu Temple to worship". "What and where do they worship then"? asked the Swamiji. "I am sure Swamiji knows it all"; I replied. "My grand parents and all their people whom Hindus call as



“Panchamas” were worshipping the spirits of their forefathers inside their own huts and houses. But outside, they worshipped Mother Nature in most cases by daily worship of the Rising Sun”. The Swamiji went on to query “What makes you think that that is not Hinduism?” “Surely you know, Swamiji” I said that by calling them as *Panchamas* - the fifth people the Hindus counted them to be outside the pale of Hindu Society, outside the fourfold Caste System. In fact, these people were forced by the majority caste Hindus in every village to live in segregated quarters outside their own village as “untouchable outcastes”. “Is it not true, Sir?” I questioned him. At this point, the Swamiji quietly changed the topic by making some humorous remarks about travelling by plane. The above anecdote is quite revealing. It highlights the prevailing attitude and self understanding of the Hindus in general, as well as the more subtler philosophy of *Hindutva* in relation to their non-Hindu fellow citizens all over India. Swamy Chinmayananda was truly a great exponent and embodiment of Orthodox Hinduism in this contemporary generation and he clearly demonstrated the Hindu spirit of assimilation and absorption of different religious tendencies and sects from *Asthika* to *Nasthika* within its fold. But, for the non-Hindu such an attitude of the Hindus represent a veritable prison house of Hindu Religious captivity that had historically kept enslaved and exploited one third of the total population of this country. These victims are the indigenous people, known today as Scheduled Tribes and Scheduled Castes - the Dalits. If it is a “Religious captivity” experience by over 250 million Dalits in this land, it is logical to possible that these victims of religious oppression and discrimination could be rescued and liberated only through a religious ideology. It is this creation of a Religious Ideology that is the task of Dalit Theology.

The effect and consequence of such most shameless religious prejudice and hatred and discriminatory treatment meted out to the Pre-Aryan and therefore Pre-Hindu native population of this country over these 3000 years since Rig-Veda and *Manusastras* are most disastrous for over 250 million Dalits today.

The shameful division of everyone of nearly six lakh villages all over India today into Caste-village section of the (Varna) *Jathi* people and the other section of 'outcaste' *Adi* People (or 'Maharwada' or 'Parayar-Cheri' or Harijan Colony, etc., as they are branded and labelled) is nothing but, segregation worse than "Apartheid" in South Africa declared the Editor of the popular fortnightly "Dalit Voice", Mr. V.T. Rajshekar, in his great book "Dalits of India" (1990). The ground reality of the yearning gap between the *Jathi* section of the village and its adjunct *Adi* section called *Cheri* etc., is unimaginable. Even 50 years after independence and the Republican Constitution having abolished untouchability (which remains only on paper) the practice of this caste-discrimination and oppression and atrocity against the *Adi*-people, the Dalits, as outcastes forced to live in segregated sections of the village could only be described as criminalisation of Religious faith of the Hindus.

In such a context as adumbrated above, what should be the shape of the effort and task of liberation of the Dalit Masses of India today?

I would think that there are enough hints and inferences that could be gleamed from the foregoing account from the past history and present reality of the Dalit masses, though sketchily delineated in the first two parts of this extended essay. We should look, of course, for the issues and goals, for the strategies and ideologies derived from the facts as well as possibilities of the Dalit situation, past and present.



What, then are the issues thrown up by the Dalit reality today?

The most transparent though secondary issues are, the abject poverty and proportionally very low literacy rate, extremely poor and insecure housing, highest rate of unemployment, very low or practically nil participation of the Dalits in the Electoral politics, because of denial of their basic human rights, including the right to live, and the right to property, not to mention the utter lack of food, shelter and clothing, that seem to be readily available to even animals in their Kingdom, and denial of ownership to any land, even for Agricultural purposes to eke out bare-living, in their own ancient native soil. Most of the teeming millions of Dalits living in their segregated dwellings as adjunct to the main caste-section of each village - each family is deeply drowned in perpetual debt and therefore in bondage, and as bonded labour, to the higher caste masters. Yet far more deeper issue of the Dalits, I would suggest, does not lie with them but elsewhere. We must blame the local perpetrators of exploitation and deprivation of the Dalit masses who plunder their labour and therefore their physical and even mental health paying under wages, often treating them as chattels and daily humiliating them as the surville underclass with abusive words and deeds on "Might is Right" principle in relating to them.

The real and central issue of the Dalits is therefore their enslavement by their fellow human beings, simply because of their accidental birth into families and parents outside the pale of caste-graded society of the Brahminical Hinduism. Consequently Dalits are thus forced to suffer utter powerless for no fault or sin of their own. All kinds of discriminations and deprivations perpetrated against them generation after

generation in the name of religion and moral social order, - all this apparently from the heartless neighbours and fellow citizens of the same society. Most unjustly, the majority of the Indians by just claiming to be part of the cursed (*Jathi*) Caste System, which is the essence of Hindu Religion, are pitted against the minority of the Indian citizens, constantly violating their fundamental and human rights guaranteed equally to all citizens of the Democratic, Secular Republic of India, even after fifty long years of freedom and independence from foreign British Rulers.

Thus, it is the marginalization and enslavement of the minority Dalit population resulting in utter powerlessness is the major issue for Dalit Liberation. That such was the typical method of the majority groups of nomadic races who defeated the minority groups of settled folk in all history is well acknowledged by the well known world Historian H.G. Wells. He says: "Down pour the united nomads on the unwarlike unarmed plains people, and there ensues a way of conquest. Instead of carrying off the booty, the conquerors settle down on the conquered land which becomes all booty for them; the villagers and townsmen are reduced to servitude and tribute-paying, they become hewers of wood and drawers of water, and the leaders of the nomads become kings and princes, masters and aristocrats". (Quoted by James Massey).

Down through human history all the world over the same pattern seem to prevail in that the majority races or nations or social groups tended to subjugate and dominate the minority social racial groups to be their underclass servants, which in fact is the application of the law of the jungle that "Might is Right" over the weaker sections by the stronger sections of the human society even within a single territorial national. The majority ruling class if they don't



have a servant community readily available among other subjects atleast they tend to create such servant community. Thus nearly 4000 years ago in ancient Egypt of the divine Pharoahs they created the slave community under them namely the Hebrew Israelites. After 430 years their number was six lakhs, when this slave community began to cry for liberalization and Moses one among their ranks became their liberator sent by their God. Dr. B.R. Ambedkar analysing the plight of the so called untouchables of India as against the dominant brute majority of Aryan races that had subjugated them came to the conclusion that this pattern is infact world wide phenomenal as part of the nature of human beings and the human society. He said that just as the Romans had their Helots, the Patricians had their Plebians, the Germans their Jews, the White Americans their black slaves from Africa, so the Brahminical Hindus have their untouchables to be their servant slave class, precisely as we have noted above, the Egyptians had their Hebrew slaves. In other words, the real root cause for one human community enslaving and oppressing another human community is the fact of human nature being what it is with natural feelings of prejudice and hatred against the other community that is weaker than themselves. However, another important insight about human nature will further help us to understand the group psychology of the majority community against the minoritized survile community. One American Christian Theologian, Reinhold Neibhur wrote a book called "Moral Man and Immoral Society". There we can recognise an universal principle that individually every human person has all the potential to come flawlessly moral being. But in the same individual behaving as part of the group or his own community defined by race, colour, tribe, language, enthnicity, etc., seems to be always lapsed

into the immoral behaviour of the community as against the other community. Such seems to be the part of the systemic and even mysterious and demonic functioning of the human society. Therefore Jesus speaks of the victims having to struggle always not with flesh and blood but against powers and principalities. Hence, the issues of Dalit Liberation calls for division appropriate strategies including for struggling against the dark powers and dominions after properly identifying them.

However, before we examine the question of appropriate strategies for the Liberation of the Dalit masses in India, we need to identify the different aspects of the goals of liberation with their implications. The most obvious single and ultimate goal of Dalit Liberation, of course is total Emancipation of every Dalit, victim of (a) Enslavement (b) Oppression and (c) Deprivation as in individuals, as families and as Ethnic-Social groups within their respective linguistic, geographical, cultural and regional-setting in different parts of this vast country, and since their Enslavement etc., over long many generations and centuries had deeply denied them of their humanity and dignity, rendering them utterly powerless, socially, economically, culturally, politically, even spiritually as well as psychologically - with gaping wound in their soul, which aspect I had elsewhere described as suffering from "Wounded Psyche", - all this call for Restoring total health and wholeness of these dehumanised and sub-humanised mass of humanity. And if they are found to be a 'powerless' lot, then they need to be Empowered whether Economically or Educationally and most certainly politically as well. Emancipation and Empowerment therefore, are the most clear twin tasks of Dalit Liberation. In history too, we may recognise these two distinct major part or aspects of Liberation



goals of any slave-class of peoples, for instance as it was in the case of the people of Israel, living as slaves for more than four centuries in "the land of bondage of Egypt" before their Emancipation through Exodus out of Egypt under the Leadership of Moses and his team. This includes the passing through the cleansing struggles for 40 years in the wilderness before they reached the II phase of liberation, in terms of Empowerment with their entry into the Promised Land of Canaan and through series of problems they had to face in the process of their settlement in the strange land and in the midst of strange people. And yet, no initiatives could be taken whether by themselves or by any others concerned to emancipate or to Empower any disinherited enslaved and powerless people like the Dalits, scattered and splintered as they are in thousands of tiny little communities in the villages and valleys and mountains, on the banks of city water-courses and elsewhere - throughout our vast country - unless - UNLESS the masses of Dalits themselves want it and demand for liberation. An interesting ministry in the time of Jesus of Nazareth in Palestine 2000 years ago will clearly illustrate my point. Jesus and His band of disciples together with the crowds that usually followed him were on the road to Jericho to Jerusalem on one occasion. On hearing the noise of the crowd one blind man sitting by the side of the road engaged in his daily trade of begging suddenly jumped up upon learning that Jesus was passing by. He cried out "Jesus son of David take pity on me". Jesus stopped and ordered the blind man to be brought to him. When he came near Jesus asked him "What do you want me to do for you". But that sounds a strange question by the Miracle Healer. Nevertheless he asked that question all the same. Surely Jesus wanted to make sure if the blind beggar wanted only

some alms and food articles, etc., or was he wanting the radical recovery from his blindness, so that he can see and will not need to beg any more. But when the blind man chose the recovery of his sight instead of a mere gift from Jesus saying "Sir, I want to see again". The Lord with delight told him "Then see your faith has made you well". The blind man promptly got healed and was able to see like others.

Most unfortunately the plight of the Dalits in India continues without any appreciable change, just as it was for the past 3000 years so also during the 50 long years after independence and democracy in free India. This is not a little due to the sad fact that the Dalits of India who had experienced the Second awakening some 100 years earlier to 1947 quietly settled down for mere sops and crumbs falling under the table from out of the National cake in the name of reservation benefits granted for the erstwhile "hewers of wood and drawers of water" for caste ridden ruling class of the Indian Society. If even the great Dr. Ambedkar known as the Father of our Constitution had acquiesced and agreed for these reservation benefits, apparently he did so only as a very preliminary and interim measure to give the head and handicap advantage to these long oppressed millions living at the subsistence level. These compensatory provisions of reservations in the areas of Education, Economic development and Electoral Politics after five decades in operation had in fact reached only a microscopic minority among the about 350 million so called Scheduled castes and Scheduled tribes who are already branded and identified as a separate class who are dependent on the rest of the classes of society. It is this anomalous situation that had caused envy and jealousy and communal clashes (as in every one of the India States) and indeed caste wars like in the case of Gujarat and



Marthawada (Maharashtra) not long ago. Again, even the great Dr. Ambedkar could not prevent the promoters of Caste System from incorporating inequality and hierarchy even in the sacred document of our Constitution. This is because he had to acquiesce to the voice of the majority community within the constituent Assembly, and Social Justice is the preamble of the Paramount Parchment, as Justice Krishna Iyer had described our Constitution. The ancient caste graded social structure seemed to be preserved and intact with references too Forward class, Backward class as well as Scheduled castes and Scheduled tribes within our secular democracy. Further within 50 years much many more than 50 amendments were effected into our Constitution which had possible altered the original vision. Thus perhaps the time has now come for the Dalits to demand a radically new Constitution which would recognize them as being equal to the rest of the classes and sections of our caste-ridden society, rather than remain at the bottom of the social ladder as Scheduled castes and tribes, thus maintaining the divisions even within the supreme document of our Constitution. For how else to explain and understand the fact of more than 900 castes included in the Scheduled Caste Order of 1950 in the post Independence India, whereas only 429 groups and tribes were included in the British Government of India Act of 1935 as being Untouchable Depressed Classes. Surely the saying "Give a name to the dog and hang it" is what we see being meted out to the Dalits.

My dear Dalit brothers and sisters, without any doubt, before long, perhaps even from this year of 1995 there is urgent need for launching out the Third great awakening among the Dalit masses of India with the central goal of radically different and total liberation of all the Dalit Masses in this country.

Now coming to our search for strategies suitable for the liberation of the Dalit masses so long segregated and isolated in each of our 60,000 villages of India yet belonging to the same single separated nation of former untouchables, perhaps we must start affirming the great Ambedkarite demand for separate settlement with our original land rights restored, if not in our scattered villages but at least in concentrated fertile pockets of regions in this vast land. Such demand on the part of the employment - hungry Dalits seeking to move into cities and towns and the land - hungry Dalits to move into agricultural and eco-friendly territories of our country would appear to be well in keeping with the ancient principle of "Exodus for Emancipation". This principle in operation was a radical success in the case of many victimized and disinherited if not enslave weaker sections of human communities down through history as was the case in the ancient Israelite, Exodus out of Egypt and modern Jewish Exodus into Israel to attain separate nationhood not long ago. Again the Ambedkarite slogan of Educate, Agitate and Organise based precisely on the ancient Buddhist formula of Buddham, Dammam and Sangam should continue to be valid and effective and well suited to the psychology of the mild mannered, non-violent masses of Dalits living anywhere in this great land of ours. After all it was the spirit of non-violence of the native tribes of vegetarian original inhabitants that made them succumb to the violent invaders of Aryan races with their blood eating sacrificial religion of the cattle drivers as their moral support for their conquest of the milder and gentler nations. The truth of this are still verified and confirmed by Anthropologist around the world studying the still extant indigenous tribes of nature loving human communities.



## Towards a more radical approach to Dalit Liberation

My brothers and sisters, let us become proud of our heritage and learn our own past history. As affirmed by the Dalit historian Dr. Webster any sense of history will have therapeutic or deeply healing effect upon us all.

As regards the specific nature and content of our possible method that we may adopt in our struggles for liberation of all Dalit masses, we can find some new light from the famous Black American leader Howard Thurman. He was one of the mentors of well known Dr. Martin Luther King Junior. Thurman in his book "Jesus and the Disinherited" (Abbington Press, USA 1949) asserts that "No external forces, however, great and overwhelming at long last destroy a people, if it does not first with the victory of the spirit against them". At this point my friends should we not acknowledge and remind ourselves that the Dalits are an ancient people whose beacon light of human spirit and life could never be extinguished over so many centuries of oppression and deprivation splintering and suppression by the Aryan invaders. Yet they had all the power of their demonic and debilitating beliefs of *Karma* and *Fate* etc., whereas the spirit of the enslaved Dalit masses continue to burn brightly, to grow stronger and in number from a mere 5% to 10%. Three thousand years ago to a handsome 30% of the total population of India today. Dr. Thurman speaks of the position of the disinherited in every age raising the question "What must be their attitude towards the rulers, the controllers of political, social and economic life? They had only 2 alternatives, humanly speaking (1) Resistance against the oppressive class (2) Non-resistance against the oppressive class. But most groups of the oppressed down through the ages chose the second alternative not to resist and thus survived on. However, there were many instances like in the case of Gandhiji

choosing the method of non-resistance, the second alternative above during the struggle for Independence from the British Colonial Imperialists which proved to be a success story culminating in 1947. But Thurman discovered a Third Alternative in the teachings of Jesus Christ contained in his brief formula that "The Kingdom of Heaven is within you". What is the meaning and implication of this formula for our Dalit struggle for Liberation in India today? First, this formula reminds everyone who may accept this of the fact that in every individual person and deprived community or nation, there is a great potential of God given power, or an inward centre, as the crucial arena where issues will determine the destiny of any depressed class of people. I am not calling for acceptance of the religion of Jesus of Nazareth but only his unique teaching that will make you learn about yourself and the great potential within you, so that you can gain the basic self esteem and self identity. This formula of "Kingdom of Heaven is within you" if rightly understood and accepted is bound to open up the Dalit individual person as well as any Dalit community to the fact of inherent personal worth and human dignity. This will sow the seeds of self transformation and self liberation, both the individual and the community to achieve the triple goals of (1) Self-Realisation (2) Self-Respect and (3) Self-Reliance and this is what I have called elsewhere as the 3Rs of Dalit liberation.

When Jesus declared, "You shall know the truth and the truth shall make you free" - He was insisting precisely on the need for every man and woman to learn and believe the truth that God the Creator of all humankind and the universe had engineered, as it were, into every human being the very Kingdom of Heaven itself, thus packing inside the inner center of the person all the needed potential power for the



business of living in this world. The first step to attain access to this power within you is to discover one's own self-identity. That is why the Black people of America, deliberately rejected all the names and labels such as Negro, Nigger-slave, etc., given to them by the Oppressor white-racists. This was part of their way of gaining their proud Black consciousness.

In the same way, it is necessary first step for the Dalits of India also to reject all the labels and names like *Dasas*, *Panchamas*, *Untouchables*, *Harijan*, or even 'Scheduled Castes' etc., given by our oppressive caste-ridden society and thus gain a prideful **Dalit consciousness**. Let us remember, that, the title "**Dalit**" is taken by ourselves to assert that we are a nation "more sinned against than sinned" and thus seek restoration of our historical past glory in this our own mothers' and fathers' land. The next step in our cultivating and strengthening Dalit consciousness that is urgently needed to achieve a measure of unity and togetherness, since, it is ever so true that "Divided we fall, and united we win" in our ongoing struggles for liberation. However, the fact of the situation now is that Dalit communities are already hopelessly divided by reasons of difference in language, geographical locations, culture, religious affiliations, levels of Economic development etc. To overcome such division we need to develop the positive approach of affirming the uniqueness and validity of values and qualities of our Dalit brothers and sisters wherever they may be living in India. I do not say we must sink our differences but we must appreciate and accept the differences, so that we may have all the colours of the rainbow within our one Dalit nation.

However, mere Dalit social consciousness without the action oriented Dalit political consciousness will not take us far in our struggles for liberation. This is why Dr. Ambedkar

first started Scheduled Caste Federation, then Indian Labour Party and subsequently the Republican Party of India. However, after about 40 years the political scenario among the Dalit masses is that we have countless number of mushroom like Dalit parties in scheduled caste Harijans, Ambedkarites, etc., etc. Needless to point out the ultimate defeat of Ravana who opposed the forces of Rama considered in the simple fact that he had 10 different heads with only 2 legs to stand on. He must have been a typical dalit hero. My friends, divided we fall and having too many political parties with so many groups of honey bees surrounding their favourite Queen bees, kind of a political organisation among Dalits will not do. The sooner we realise this the better for us all. I would propose that we go in for a one single party for the Dalit masses as the "All India National Party of Dalits". I am confident that with the very heaven inside each of us and within the whole nation of Dalits, it should be possible to organise ourselves towards a political party of course if we follow the imperatives of our modern Dalit leader Dr. Ambedkar challenging us to Educate and Agitate before we organise ourselves.

Having briefly considered the issues and goals and strategies that are relevant for the liberation of the Dalit masses, I can already hear the question as to what ideology or ideologies that should be chosen as appropriate for Dalit Liberation. If we are to learn from history of the struggles of deprived nations right from the story of the Israelites liberation from Egypt, it seems that ideology is not prior to the actual struggles and liberative actions but in fact something discovered in the process and context of the struggles. Thus for Moses and the people of Israel their plan or blue print for their liberative action or ideology came to be formulated



during the process of the struggles such as in their painful experiences and difficulties while passing through the wilderness between Egypt and the promised land of Cannan over forty long years. It was then they discovered their religion as well as the ideology arising from it with a central belief in one God of their Father called YAWEH. But even modern political platforms and ideologies like communism, socialism, etc., could be taken to be effective and authentic only if they are contextually adopted and applied as for instance in the case of Maoist China, in order to be successful. The recent collapse of the Marxists ideology after some 70 years of its stupendous story during this twentieth century spreading out from Soviet Russia to cover nearly one third of the world today stands totally splintered and stupefied before the no less anti-people ideology capitalism under which countless number of social groups such as Dalit masses are groaning and struggling to be liberated. Therefore the moral of the story is if I may venture to say is that each struggling community must discover its own ideology in the very process of their struggles for liberation. Of course we are fortunate to have the heritage of the Buddhist ideology and the modern Ambedkarite propositions for ideology. But these can be only tentative guidelines and that only if we critically analyse and apply those principles derived from these ideologies as well as the other ideologies known to human history as instruments of justice and liberation for the different nationalities. The above implies that we need to perhaps look for not just one common ideology for all of India but allow different ideologies rooted and growing out of the distinct cultural and life context and situation of the different regions in our country with of course our common goals of liberation into true humanity. However, it will be fool-hardy and self defeating for any minoritized and

marginalized masses like the Dalits to accept violence in any form as a means to achieve the goals of our liberation. Did not Jesus say "He who takes the sword will perish by the sword" - A statement of universal truth. "We shall know the truth and the truth shall make us free".

In conclusion it is my humble conviction and hope as well as my dream which I invite every Dalit brother and sister in India to share that we shall achieve within our own generation of time real equality and true humanity for every Dalit person only and only in human company and human commitment of neighbourliness with every other human being walking with truly communal harmony with every other fellow Indian citizen whatever be his or her caste or religion or linguistic affiliation or any other difference in our long march towards freedom and liberation of all. We shall have no anger or animosity against anyone of our fellow human beings, for our struggle is not against flesh and blood but against powers and principalities and dark forces and systems of this universe.

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# HUMAN RIGHTS EDUCATION INDIA'S HERITAGE

DR. R.M.PAL

**I**ndian scholars and human rights intellectuals have been talking and writing, apropos of human rights violations, about India's glorious past of 5000 years, written in gold, and pleading that the past must be revived to usher in a new India where the values of tolerance, non-violence, friendship for all, equality, respect for the human persons, human dignity and rights, and freedom will be respected and cherished. They, however, leave us in the dark as to which past is to be revived/reborn, of which we can be proud; and which one needs to be buried. Obviously we want to revive that past which will help India come into the inheritance of the blessings of modern civilization. Which means that we have to resist the temptation of reviving an imaginary Golden Age of India's past.

Furthermore, as professor Romila Thapar puts it: "The supposed perfection of the past has hampered our understanding not only of the social processes but also of our own cultural identity. ... An analysis of the totality of Indian society today has to account for a variety of transitions taking place and involving tribal groups, peasant groups, and, at the

most articulate level, the change to industrialisation. The nature of these changes will often involve a basic change of social values. The confrontation can no longer be evaded as it once was by recourse to the theory that our concern has always been only with things spiritual, or by an escape into the past. But the process can be facilitated by an awareness of the past, deriving from a realistic assessment. . . It is only the awareness that history is made by an entire people into its total activity, which can bring us nearer to explaining the past in its concrete actuality. And, this, after all, is the ultimate purpose of historical investigation".<sup>1</sup>

At the fag end of the 20th century we cannot afford to go round in circles of ideological confusion. We need to raise our voice of reason and wisdom, discover our old literature, philosophy, and civilisation to make us wiser and constantly remind us of our journey forward. This is how Europe recovered from the savagery of the Dark Age and many of the crudities of the Middle Ages. The idea behind revivalism/rebirth (I use these two words interchangeably, for the sake of convenience, even though they mean different things) is to look at our past, that past which can guide us to respect the individual's dignity, and to build a future of which we can be proud. In the process we should have no hesitation, indeed we must be brave, in discarding those aspects which hamper our progress, like, for example, the theories of Karma, Transmigration of Soul, Maya, the principle of division of society into castes, the form which the system of exploitation assumed in by-gone days that was declared to be the creation of God, the 'spiritualist' culture that seeks to persuade the poor, the depressed, the oppressed, and the exploited to reconcile their lot to suffering, sacrifice, love, and voluntary poverty - all that signify complete surrender, and absence of



the spirit of revolt. We must be brave to discard these even if they are backed by scriptures — indeed, we must bury such scriptures.

The highest appreciation of our past would be to find out how it could generate in us the spirit of revolt against social injustice and human rights violations. Indeed, a very large canvas, and a huge agenda for our historians in the above context, to proper a course of study based on our heritage for human rights education to be taught in schools, colleges, and universities.

As regards tolerance, respect for human rights, dignity of, and respect for the individual and his/her freedom, that have been part of our heritage, and need not be a great sophisticated scholar or historian to know that even the philosophies of religious movements in the not-too-distant past, not to speak of the materialist philosophy of ancient India<sup>2</sup>, incorporated such values. Regrettably, the human rights intellectuals and activists have hardly taken note of these movements, possibly because of the fact that most of these originated from, and inspired by, the lower strata of society. And also that, to quote Romila Thapar again: "The cultural identity which we have forged in recent times has been that of a Sanskritic upper caste, or else its equivalent in a Parsian upper caste. Yet these identities are as elitist as the English speaking identity of contemporary Indians. . . . (The fact remains that) the common features of religion for the majority of Indians lie in the worship of the mother goddess and fertility cults and in the teachings of what have come to be called the devotional or *bhakti* sects and the 'sant' and the 'pir'. Emphasis is continually given by historians to the spread of Islam symbolised by the *Quran*. Yet so little recognition is given to the fact that in the practice of religion

it is the local cult, the non-Sanskritic tradition which is often predominant”<sup>3</sup>.

It is in this context that I have given below a summary account of this non-Sanskritic tradition with special reference to the medieval age (this period should not be confused with what is known as the Middle Ages in Europe), that is, before the advent of European learning which came to India with the British. I suggest that contributions made in this period can inspire human rights activists in their work, and also scholars and educationists including the Government of India appointed National Human Rights Commission (NHRC), and the National Council of Educational Research and Training (NCERT), involved in the task of framing courses of study for human rights education <sup>4</sup>.

The NCERT with the active support of the NHRC has brought out a Source Book on Human rights education which contains summaries/excerpts from various UN Charters and Covenants, and also from our own Constitution. One wonders, however, if a mere textbook reading of constitutional provisions and UN Charters can develop a human rights culture which is what the NHRC's stated objective is. Furthermore, aren't these already taught in the Civics, Political Science, and Law Courses?

During the Buddhist period, interest in man, man in his own image, and man's affairs on this earth, unlike interest in gods and goddesses and good life in heaven after death, this earth being a vale of tears, became the primary concern of thoughtful men and women. Buddha rejected the caste system. Human sufferings made Prince Gautam Siddhartha restless and he left all luxuries and comforts of the King's palace in search of remedies for all human miseries on this earth. The basic tenets of Buddhism are non-violence, non-



hatred, and friendliness to all. Emperor Asoka who became a devoted follower of the Buddha took to the non-violent, humanitarian and humanist philosophy of Buddhism. Also, he became a great champion of freedom and tolerance. He pleaded for universal tolerance. One of the Most significant contributions of Buddhism was the introduction and spread of secular education — education for all. Organised universities came to be established under the direct influence of Buddhism.

There were other aspects — non-vedic — like the *Nath*, *Yoga Siddharcara* who too, like the Buddhists, found the key to all religious mysteries in the human body itself. “The position of the *nath-panthi siddhas* and *jogis* in Hindu society needs to be understood. Most of the *nath-panthi siddhas* and *jogies* belonged to the low castes, opposed caste-based inequalities, denounced the religion of works favoured by the Brahmins, and did not favour image worship” <sup>6</sup>. Women played an important part in these sects, particularly in the Tantra.

There are other folk religions/sects which came into prominence in the medieval period: the well-known *Bhakti* movement, and the Baul movement in Bengal. They are remarkable for their simplicity, directness, and for preaching and practising tolerance, love, and friendliness.

Bhakti, the path of devotion, implies a belief in the Supreme Person, not a Supreme *Abstraction*. It is, therefore, a very straightforward and unsophisticated belief. This movement has non-Aryan roots; in fact, according to some scholars, it originated in the Dravida country. It was opposed by the Brahmins for a long time because of its utter disregard for caste divisions, religious rituals and ceremonies.

The tradition of Bhakti has played an important part among the Tamils as mentioned in the works of the *Alvar*

saints, most of whom came from low castes. In the beginning the movement was restricted to the lower strata of society who were oppressed by the Brahmanical religion. At a later stage, Vaishnavas of even higher castes hailed their literature. One *Alvar* saint, Andal belonged to be a low caste; she was accepted as a religious leader by the society in general. This is an indication of the popularity of the Bhakti movement. The great scholar Ramanuja, the best known exponent of this movement, was influenced and inspired by the "works of the Alvars, which were collected by the disciples of Ramanuja at his special request, and from which Ramanuja himself drew much inspiration and food for this system of thought <sup>7</sup>."

At this point, a brief look at the advent of Islam in India is necessary. In India, Islam led to a series of responses. We can illafford to ignore them as also the creative influence of Islam. An analysis of the Muslim conquest of India is of practical value today, and will help Indians — both Hindus and Muslims — appreciate the positive results of Muslim conquest of India. (This is necessary, among other reasons, for a solution of the communal question which has been one of the major sources, along with the caste system, of human rights violations.)

It may be noted in this context that Europe came out of the shackles of the Dark Age and the Middle Ages, and entered the civilized era by learning from the Muslims. It is equally true that a large number of Hindu reformers, largely in the Bhakti movement in medieval India, who revolted against orthodoxy, were considerably influenced by the Muslim conquest and its social effects <sup>8</sup>. The devotional Bhakti and the Islamic Sufis (the Sufi teacher, Khwaja Molnuddin Chisti came to India in 1193) have much in common. In medieval north India mysticism was the product of both the Bhakti



movement and the tradition of the Sufis. One important aspect of this mysticism is its complete independence from orthodox scriptures. These teachers practiced and taught tolerance.

The interaction of Bhakti and Islam, specially the Sufi idea, gave rise to a number of progressive movements with the core philosophy of tolerance. Human rights educationists should give the utmost importance to this aspect. It is regrettable that it has, with some notable exceptions, been generally studied in isolation. It should, therefore, be emphasised in our text books that "relations between Islam and the religions of the area (South Asia) were marked by mutual understanding and tolerance. (This spirit of mutual understanding, tolerance and cooperation were, to a large extent, promoted by the rise and spread of Sufi and Bhakti ideas"<sup>9</sup>.

Our students must be reminded over and over again of what Rabindranath Tagore said — "the Sakas, the Hunas, the pathans and the Mughals, all have been merged into the body" — with a view to combating the religious frenzy that has been playing havoc in our country. We must remind ourselves of the forgotten fact of history that "a distinctive feature of the thought and life of the people of South Asian region is their adherence to the tradition of tolerance, syncretism and co-existence, (and in this context) the coming of Islam was an event of outstanding significance for the history of this subcontinent. This syncretic and humanist tradition in South Asian society and social thought is remarkably portrayed in the following poem of Kazi Nazrul Islam:

I sing the song of equality/where all barriers have  
crumbled,/All differences have faded,/and Hindus-Buddhists-  
Muslims-Christians/

Have come together and have merged./I sing the song of equality”<sup>10</sup>:

In short, we must remind ourselves over and over again that a pluralistic society can flourish only if its basic value remains tolerance.

### IV

Namdeva and Tukaram from Maharashtra, the former a tailor, and the latter a peasant, made the Bhakti movement increasingly acceptable to the people. Namdeva taught: “The stone image speaks not, see the lord within. the *Tirthas* (holy pilgrimage) cannot wash away sins: clean your heart instead. Fasting and other observances are futile unless your being is purified. What can ceremonies do if love awake not in your heart?”

In Bengal, the well-known Vaishnava poets, Jaidev, Vidyapati, and Chandidas, as also Chaitanaya popularised the movement. The Bhakti movement during this period spread to almost all parts of India.

Though the movement did not succeed in breaking through caste barriers, the very fact that many of its leaders belonged to lower castes, and also that it believed in the equality of men, must be taken note of by human rights educationists.

In the fourteenth century, Ramananda (1370-1440) challenged caste divisions, revolted against traditional religious rituals and started preaching in Hindi, and not Sanskrit which was the preserve of the upper castes. His thought is well reflected in the following words of his: “wherever I go, I see water and stone; but it is you who had filled them all with your presence. In vain do they seek you in the Vedas. . . (Granth Saheb). Ramananda had 12 important disciples.



They all belonged to low castes. One of them, Ravidas was a cobbler. "The recitation of the Vedic *Mantras*, even for many millions of times, will not satisfy the pangs of the longing (to see you)", sang Ravidas (*Granth Saheb*). The most famous disciple was Shaikh Kabiru Din Momin Ansari, popularly known as Kabir, a Muslim weaver. The Sufi and Bhakti traditions of the Islamic and Hindu religions blended in his teachings. He struck at the very roots of ritualism and superstition. "O God, whether Allah or Rama, I live by thy name", sang Kabir. Since Kabir composed songs for the common people he chose Hindi. "Sanskrit is like water in a well; the language of the people is a flowing stream". said kabir. A married man, with a son and daughter, kabir did not practise celibacy and asceticism. He practised and preached the gospel of universal tolerance and was one of the exponents of the idea of India without any communal discord. Kabir gave the utmost importance to human equality and denounced inequality based on caste, station, and wealth.

The founder of the great Sikh religion, Guru Nanak, was greatly influenced, by Islamic and Sufi ideas. Sikhism is known for its simplicity, and this was derived from Kabir's teaching. Both Kabir and Guru Nanak found a common link between Hinduism and Islam. "The supreme significance of Nanak was that he was the harbinger of Hindu-Muslim unity, for he sought sincerely to reconcile Islam with Hinduism as the following verse will show: Guru Nanak Shah faquire/ Hindu Ka Guru aur/ Musalman Ka pir"<sup>11</sup>.

Dadu, a Muslim cotton-curder was another of Kabir's outstanding followers. "When I look upon the beauty of this universe, I cannot help asking, 'How, O Lord, did you come to create it? What sudden wave of joy coursing through your being compelled its own manifestations? Was it really due to

a desire for self-expression, or simply on the impulse of emotion? . . . That is why your Universe . . . has charmed me so . . . Dadu has no desire to know; he is satisfied to remain enraptured with all this beauty of yours', and to rejoice in it with you, so sang Dadu — so very different from the hair-splitting and complicated intellectualism of *Jnana* and *Karma*.

The story of such mystics of the Bhakti movement is long. I have given a very brief introduction to this movement in the foregoing with a view to bringing before human rights activists and educationists the positive aspects of our past.

*Bauls* are not known outside Bengal. The philosophy of the *Baul* movement lies in the simple man's (*Sahaj*) search for the "Man of his heart" - his God. The movement traces its origin to the fall of Buddhism and Vaishnavism.

Bauls are like the wind (*Baul* means wind, *vayu*) - always free, not tied to any religious traditions. They accept no cast division; they do not worship any special deity nor do they accept any temple or mosque. Baul devotees belong to the lowest strata of both Hindus and Muslims. "What need have we of other temples, when our body is the temple where our spirit has its abode?", they sing. They do not observe asceticism, nor do they believe in celibacy. Earthly love, they maintain, helps them to feel Divine love, and harmony between material and spiritual needs. The following Baul song contains the core philosophy of the Baul movement:

That is why, brother, I became a madcap Baul. / No master I obey, nor injunctions, canons, or custom / Man-made distinctions have no hold on me now. / I rejoice in the gladness of the love that dwells out of my own being. / In love there is no separation, but a meeting of hearts for ever. / So I rejoice in one and I dance with each and all. / That is why, brother, I became a madcap Baul.



One of the most famous Bauls, Faqir Lalon Shah sang thus:

Everyone asks Lalon what is your religion: / Lalon says, I know he is a Musalman; / But how would you identify the religion of a female? / A Brahmin male is identified by his *poita* (sacred thread); / But how would you identify a Brahmin female? / One holds rosary in hand, the other wears *tasbi* (bead) in his neck, / That is how one's religion is known; / But at moments of birth and death do these signs remain? / People everywhere talk and gossip about religious differences. / Lalon says, I have dropped all polemics about religions in free market.

I may add that Rabindranath Tagore was greatly influenced by Kabir and translated many of Kabir's poems into English in collaboration with Evelyn U derhill. Guru Nanak, too, left a lasting impression on Tagore's mind. Tagore was also greatly influenced by Bauls like Lalon Faqir and Gagan Harkarai. He composed many songs under their influence.

#### Notes:

1. *The Past and Prejudice*, by professor Romils Thapar, National Book Trust, New Delhi, 1975, pp.60-63.

2. The school of philosophy, *Lokayata* considered physical sense data to be the only source of knowledge. It challenged the whole of Hindu metaphysics, and rejected after-life and reincarnation. This rejection is found elsewhere too. In the *Ramayana* a Brahmin, Javali advises Rama thus: "I grieve for those who, abandoning the pleasures of the world, seek to acquire merit for felicity hereafter and sink to an untimely death, I do not grieve for others. Men waste food and other precious things by offering them up yearly, as sacrifices in honour of their departed ancestors. O Rama, has

a dead man ever partaken of food? If food that is eaten by one, nourishes another, then those who journey need never carry provision on the way. Relatives might feed a Brahmin, in his name, at home. O Ramachandra, these scriptural injunctions were laid down by learned men, skilled in inducing others to give, and finding other means of obtaining wealth, thus subjugating the simple-minded. Their doctrine is 'Sacrifice, give in charity, consecrate yourselves, undergo austerities, and become ascetics'. O Rama, be wise, there exists no world but this, that is certain. Enjoy that which is present and cast behind thee that which is unpleasant. Adopting the principles acceptable to all, do thou receive the kingdom offered thee by Bharata" *Ayodhya Kand*). (Quoted by K.M.Sen in his book *Hinduism*, Penguin, 1961, pp.63-64.)

3. Romila Thapar, cited above. p 6.

4. I have not dealt in this essay with the short-lived Renaissance that was ushered in India, specially in Bengal and Maharashtra, under the direct influence of European learning and philosophy and which gave rise to a large number of reformers and reformist movements, intellectual-activists, and political thinkers whose contributions have been recorded and acknowledged by most historians. Contributions made by European learning and philosophies in the field of human rights, civil liberties, and individual liberty have been significant, and they find elaborate mention in text books.

5. The Hindu caste system, in the context of human rights, must be dealt with in great detail, for it represents inequality and has played an important role in stratification of Indian society — particularly because of its so called 'divine' origin. The caste system by its very nature, goes against respect for an individual's dignity and freedom to



express himself. Further, the caste system had a racial origin in its association of castes and colour, for example, an important verse in the *Mahabharata*: Bhrigu explains the nature of castes to Bharadvaja, "Brahmins are fair, Kshatriyas are reddish, Vaishas are Yellowish, and the Sudras are black". What should be of interest for human rights education is how it is questioned by Bharadvaja: "We all seem to be affected by desire, anger, fear, sorrow, worry, hunger and labour; how do we have caste differences then?" (*Santi Parva*). (Quoted by K.M.Sen in his book, *Hinduism*, Penguin, 1961, p 28.)

That in ancient India, the caste system was repudiated is also illustrated by a number of characters in the *Mahabharata*: (1) the story of kind Yayati and Devayani — Devayani, a Brahmin marries Yayati who is a Kshatriya with the consent of her father, Guru Sukracharys, (ii) Vidura, one of the wisest men in the *Mahabharata* and also described as the very incarnation of *Dharma* was the son of a Sudra Raman, (iii) Rishi Vaisishtha was born of a prostitute, (iv) Parashara was born of a *Chandala* woman. Another example of argument against caste divisions, from the *Bhavishya Purana*, "All human beings have the same Father, and children of the same Father cannot have different castes".

6. Professor Satish Chandra in *Cultural Interaction in South Asia*, edited by S.A.I.Tirmizi, Hamdard Institute of Historical Research, New Delhi, 1993, p 103.

Human rights educationists should find this book useful in preparing reading material for school students. It is a collection of papers written by scholars from South Asia, presented before a Colloquium organised by Jawharlal Nehru University, New Delhi, Hamdard Institute of Historical Research, New Delhi, and Jamia Hamdard, New Delhi, in

1991. There papers, "Aspects of Society and Social Thought in South Asia: The Syncretic and Humanist Tradition" by professor Salahuddin Ahmad of Dhaka University, "South Asian Sufis and their Social Linkage" by professor Riazul Islam, professor Emeritus at Karachi University, and "Interaction of Bhakti and Sufi Movements in South Asia" by professor Satish Chandra of Jawharlal Nehru University of New Delhi, deserve special mention in the context of human rights education.

7. S.N.Dasgupta, *A History of Indian Philosophy*, Vol III, 1940.

8. In spite of the fact that Islam had played out its progressive role before it penetrated India, Islam was welcomed as a message of hope and freedom by victims of the Brahmanical reaction which had overthrown the Buddhist revolution resulting in a state of chaos in Indian society. How is it that the Mohammedans, though not large in members, managed to rule a vast country for such a long time, and millions of people converted themselves to the new faith? The fact remains that the Mohammedans satisfied certain objective requirements of Indian society. The historian Havell (not an admirer of Islam, he is a great admirer of ancient Hindu culture) in his book, *Aryan Rule in India* writes: "It was not the philosophy of Islam, but its sociological programme which won so many converts for it in India. The victorious progress of Islam in India is not to be accounted for by external reasons. It was mainly due to the political degeneration of *Aryavarta* which set in after the death of Harsha . The effect of the Musalman political creed upon Hindu social life was two-fold: It increased the rigour of the caste system and aroused a revolt against it. Islam made the Sudra a free man and potentially a Lord of the Brahmins. Like the Renaissance



of Europe, it stirred up the intellectual waters, produced many strong men, and some men of striking originality of genius. Like the Renaissance also, it was essentially a city cult; it made the nomad leave his tent and the Sudra abandon his Village. It developed a type of humanity full of *jole de ulure*". (quoted by M.N.Roy in his book, *Historical Role of Islam*, Ajanta, 1990 reprint, Delhi, pp.84-85. M.N.Roy wrote this book in jail during the period 1930-36 to indicate the way to a solution of the Hindu-Muslim problem in India. This book deserves to be read by human rights educationists as also by members and officials of the National Human Rights Commissions).

9. Satish Chandra, cited above, P 100. What professor Satish Chandra writes with special reference to Tulsidas, the chief exponent of one trend of the Bhakti movement which was devoted to Rama, should be specifically noted by human rights educationists even though Hinduvtavadis will take objection to Professor Chandra's Comments and views: "Tulsidas laid considerable stress on the need for social and political stability with the framework of which alone religious duties could be properly performed. The basis of this was his belief that the overwhelming sections in society consisted of people with wicked and evil propensities. . . . Social control implied the maintenance of a reformed caste system in which people did not transgress their prescribed duties. ...Tulsi's own approach was fundamentalist or traditionalist in the sense that he based his teaching on the scriptures which, along with the Brahmins, were to be respected and were to be regarded as the bedrock of religion. He also strengthened and revived the tradition of image worship, the deity being worshipped and treated with the deference due to a person of

high status. The tradition of reincarnation was automatically reaffirmed". pp. 109-110.

10. Professor Salahuddin Ahmad of Dhaka University in *Cultural Interaction in South Asia*, cited above, p 87.

11. J.N.Sarkar, *Thoughts on Trends of Cultural Contacts in Medieval India*, Calcutta, 1984, p 102.



# Human Rights in Education and the Schooling of Dalit Children

DR. GEETHA B. NAMBISSAN

**I**n the broadest sense Human rights is the right of every citizen in this country to be treated with dignity regardless of caste, community, gender and thereby realize their own capabilities and capacities. Access to education is but a part to this right to a life of dignity.

There can be two ways in which the question of human rights can be dealt with in the context of education. One is to state that the education system should facilitate the spreading of an awareness of the importance of human rights and an understanding of human rights and an understanding of the premises on which they are based as well as the safeguards that are available for the protection of these rights. This can be broadly referred to as Human Rights Education (HRE), and NCERT and UGC documents (Summaries of which have been included in this collection) broadly refer to this. The second is to critically look at the practice of human rights within the education system.

There can be no quarrel with the objective of wanting to strengthen the subject content in relation to human rights wherever it is appropriate in subject areas such as social studies, civics and so on. In this context it is probably adequate to integrate the teaching of human rights within the content of what is already being taught rather than introduce an additional subject at the school stage and thereby increase the load of an already burdened school curriculum. There is considerable potential within existing content areas to do so and it is a matter of how effectively and sensitively this is done.

Of crucial importance to the issue of { in relation to education is the practice of { within the education system itself. In other words we probably need to first understand the concrete practice of { within the education system (and the manner in which the experience of different social groups varies in this context), before we can speak in general of { , the content of this education, whom it should focus upon and so on.

Any one who looks at the schooling statistics in government document will be struck by the extent to which certain social groups lack even the minimal access to opportunities where they can acquire basic skills of literacy and numeracy, i.e. to primary stage of education. I am specifically referring to the relatively low enrolment and high drop out rates from school of children from Dalit communities, officially called the Scheduled Castes. What is however important is that these are social groups that have also been traditionally denied a life of dignity in society. Today when we are discussing the role of education in human rights literacy it becomes important to see whether children from communities whose human rights continue to be trampled upon are



able to receive education with dignity from schools. The school is of particular importance as these are institutions that occupy public space and profess aims of equity ensuring equality of educational opportunity with social justice.

There are two points of importance that need to be remembered in the context of the education of Dalit children . One is that these children come from communities that have been traditionally denied opportunities for education. The lack of exposure of generation to skill of literacy, numeracy, literature and other forms of knowledge considered desirable is likely to put them at a disadvantage where access to school knowledge is concerned. This would imply that such children are likely to required specific pedagogic support from the school system. This is integral to their rights to education. The other point is that Dalit communities have been denied learning in the past specially because of the caste to which they belong. There is hence need for special vigilance to see that they do not continue to face social discrimination within the school.

As mentioned earliest the majority of Dalit children in both rural and urban areas do not attend schools. Though education document assure as that school are available within walking distance to all children in rural areas, this does not even hold if one looks more closely at official statics. Further, given the spacial segregation of Dalit communities in villages and among them specially those who traditionally remove night soil and the fact that schools are located within the upper caste areas, the question of how socially accessible schools are, is also relevant.

Coming to the school themselves what need to be seen is the quality of facilities that are available to Dalit children.

One knows that the generally quality of primary schools in rural areas is poor. What is the condition of school that cater primarily to Dalit children by virtue of being located in their habitations? Passing reference in a few studies and reports give rise to the suspicion that school where Dalit children predominate may be in poorer condition than the average rural school the to ensure that education is received in conditions that maintain the dignity of the individual child. Inadequate inputs in schooling, the poor quality of teaching, and so on- likely to be particularly detrimental to the education of children from these communities- are relatively less exposed to the kind of skills required in the class room.

Equally important particularly for Dalit communities are the social processes within school and classroom that influence the learning environment provided for children. There is not much research evidence on what it means to be a Dalit child within the Indian class room specially in the rural areas where the majority of Dalit school children are to be found. Scattered references in a number of studies do indicate that the education of Scheduled castes may still not be looked upon with favour by upper and dominated castes in many parts of India.

Within the school it appears that Dalit students continue to experience social discrimination and this can be seen both in the official curriculum, i.e. in the approved content of education and the hidden curriculum of schooling. Scheduled Caste communities and the experience of untouchability rarely form part of school knowledge. Textbooks are silent about Dalit communities, even in states where these communities form a significant section of the population. Though untouchability and the maintenance of social distance from certain communities still persists in most parts of India such



practices are rarely mentioned in school books or discussed in the classroom.

Dalits who look back upon their often painful experiences in school refer not to their invisibility in text books but to the distinct message of social inferiority that is conveyed to them by their teachers (the majority of teachers continue to come from middle and upper castes) and peers. Personal experiences of Dalits educated in the post independence period mention instances of Dalit children being asked to sit separately from their classmates, of being refused drinking water and served in broken teacups, made to dine separately and so on. A number of observers have noted the fact that teachers refuse to touch their slates or copies, or even resort to physical punishment for fear of pollution. Discouragement from teachers (who by and large still belong to the middle and upper castes in rural India) and indifference on their part to the academic needs of Dalit students is also reported in a few studies. Passing reference is also made to friendship patterns tending to remain within caste boundaries in schools.

The point being made here is that children belonging to communities that belong to the lowest of castes in the social hierarchy continue to be discriminated within the school and classroom and blatant practices particularly in the attitudes of teachers and school authorities as well as in peer behaviour continue. The inadequate academic support given to Dalit children, the prevailing attitudes regarding these communities and the stereotypes that teachers and other members of the school community hold regarding their educability and their destiny impinges on the right of the child to education with dignity.

Given the scenario that exists regarding social groups that suffer from the backlash of caste in society at large, it is

unlikely that human rights education in the abstract will bring about any significant change in the education environment provided for children belonging to these communities. What is required is that school practices in relation to discrimination, or the need for social justice within schools, is directly addressed. How this needs to be done is a matter of democratic debate and discussion but one can point to a few areas of intervention.

One is the official content of school education where a conscious effort should be made to critically analyse the manner in which school text books portray socially vulnerable communities both in terms of their visibility as well as the kind of roles they are seen to play if represented. In the context of what is called the hidden curriculum there is need for a multipronged strategy. One is the need to ensure that all children (specially in the rural areas) are entitled to equal access to facilities within educational institutions and the meting of stringent punishment where there is any form of discrimination. The other is in the context of programmes to sensitize and create awareness among teacher educators, teachers and school administrators not only of human rights where these children are concerned but also of the deleterious consequences that social discrimination can have for the development of children and the realising of their full potential. The special role that the schools can play in reinforcing academic inputs for these children need to be stressed. Similarly within the classroom the raising of awareness of human rights requires that such awareness is linked to critical consciousness of school practices including peer group behaviour in as sensitive a manner as possible. For both teachers and students this can be done more effectively through dialogue and discussion rather than in a didactic



manner. Group projects can offer opportunities both for the recognition of underlying attitudes and critically looking at them.

Children especially those from Dalit and Minority communities are in an extremely vulnerable position in the classroom. Protection and support to children in order that they can exercise their rights will be important in efforts to create an educational environment conducive to learning with dignity. In this context the links that democratic and civil liberties organisation forge with schools will be critical.

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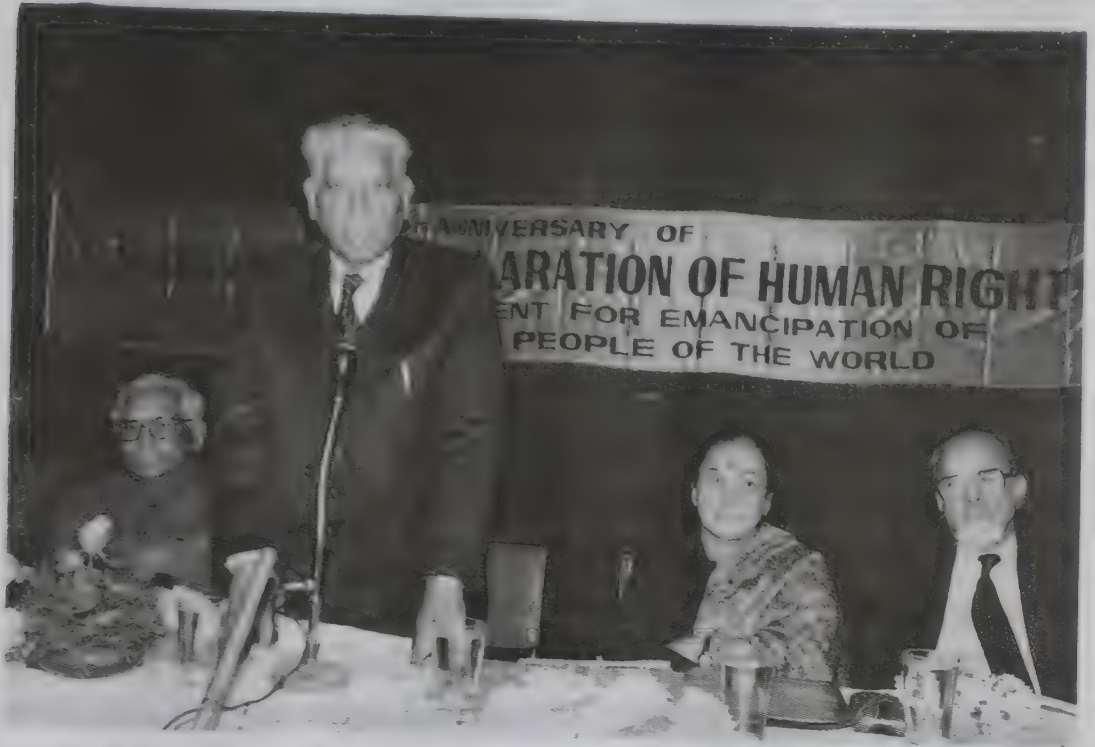
# Untouchability in Contemporary India Worse than Apartheid

JUSTICE A. VARADARAJAN

(From his Presidential Address on the occasion of the  
40th Anniversary of the Universal Declaration of the  
Human Rights on 10th December 1988 at the  
YMCA Auditorium, New Delhi.)

**T**here are discriminated people all over the world, such as the African-Americans of the United States of America, the Blacks of South Africa, the Jews of Israel and the Untouchables of India. The Untouchables of India are the people of the Scheduled Castes and Scheduled Tribes, who are the original inhabitants of India as it was before the Partition of 1947. Those original inhabitants who were subjugated by the Aryans came to be dubbed as Untouchables who now belong to the Scheduled Castes, while those who fled to the forests are now the Scheduled Tribes. The Indian Society, barring the Christians, Muslims, Parsis and Sikhs, is a caste-based one consisting of Hindus. According to





Hinduism there are four sections of Hindus, namely Brahmins at the top, Kshatriyas below them, Vaisyas coming third and the Shudras coming last.

Wrote A.K. Roy in July, 1985 "The Indian caste system, without any parallel in the world, is not merely a feudal superstition. It effectively determines the division of labour in Society and defines mental attitudes towards physical labour. In the tenth book of the Rig Veda it is written that from the head of the Creator came the Brahmins, from the arms the Kshatriyas, from the waist the Vysyas and from the feet the Shudras."

Article 338 of the Constitution of India provides that the President shall appoint a Special Officer for the Scheduled Castes and the Tribes. Article 340 likewise provides that he may appoint a Commission to investigate the conditions of the Backward Classes and suggest measures for their development. The first Backward Classes Commission, of which Kaka Kalelkar was the Chairman, submitted its report in 1955 identifying 2399 castes as backward including all

women, and 837 castes as most backward and suggesting reservation in services for them. *That report, though placed before Parliament, was never discussed and has been forgotten.* The second Backward Classes Commission constituted in 1978 with B.P. Mandal as Chariman, submitted its report in 1980. This Commission has not hesitated to suggest Castes as the basis of reservation.

The Scheduled Castes, who at one time were sought to be labelled as Panchamas, do not fall under any of those four sections. According to Hinduism and Hindu Law, Hindus are born and not made. There are Scheduled Castes even amongst the Sikhs. So there is no possibility at all for the Scheduled Castes and Tribes getting integrated with any of the four sections, not even with the Shudras who themselves belong to very many different castes. Every election is fought on caste basis and even Brahmins last month (*Indian Express* dated 25.11.1988) asked the political parties to field at-least 15 Brahmin candidates in the coming Tamil Nadu Elections, stating in a press release made on behalf of the Tamil Nadu Association and the Brahmins 'Youth Association that Brahmins decide the winning candidates in atleast 25 constituencies and are in a majority in 15 constituencies.

The problem of these minority Scheduled Castes and Tribes persists for thousands of years. The Scheduled Castes, both men and women, have been suppressed and made to engage themselves in the meanest of jobs such as scavenging and removing dead animals, and denied the human rights such as freely walking in the streets where caste Hindus live, wearing any dress apart from those allowed by caste Hindus, taking water from drinking water sources, receiving education, going to religious places and the like. They are segregated and made to live away from the residential areas of the caste



Hindus in what are known in Tamil Nadu as "Cheris". Even the residential hutments called houses, built by Government of India, are in separate areas away from the residential areas of the caste Hindus. The officials responsible for construction of these hutments are either unwilling or unable to find places to enable the scheduled castes to live side by side with the Caste Hindus. They are forced to have even separate burial grounds for disposing of their dead. In small towns and cities even educated officials amongst the Scheduled Castes cannot obtain rental accommodation in Caste Hindu areas, unless they hide their caste.

The 'Times of India' (March 31, 1983) stated thus:

"Untouchability continues unabated in the rural and backward areas of the country, notwithstanding the enactment six years ago of the Civil Rights Act providing for enhanced and stringent punishment for offenses arising out of this social evil...

The prevalence of untouchability in large parts of the country was revealed by an All India Survey conducted by the All India Harijan Sevak Sangh in the 12 States of the Country sometime ago. The findings have been confirmed by the Commissioner for Scheduled Castes and Tribes in his latest report presented in the Rajasthan Vidhaan Sabha here last week".

India's ruling class does not want to abolish untouchability which provides a lot of socio-economic benefits to the other people and also serves to provide vote banks which pay for mere promises which are soon forgotten and repeated next time.

Whenever the Scheduled Castes revolted against the ill-treatment to which they are subjected, they are attacked with deadly weapons and killed, their houses are burnt, their

women are raped, molested or dis-honoured and their belongings are destroyed. This ill-treatment and hardship of the Scheduled Caste continue unabated even now, mostly in the village where the majority of the population of this country lives.

Untouchability is practised even in New Delhi where our Union Government functions. The following is the report (Indian Express, Delhi dated 10-12-1988) about a cruel and inhuman act of untouchability which was committed in that city recently.

“Nathu Lal Dhinvar’s birth caught up with him on Saturday. For 20 years, as he ran his stall in Sri Venkateshwara Mandir in R.K. Puram, he thought he had left it behind. But, on Saturday, the aggarbatti and coconut that he sold to devotees were hurled aside and he and his wife were thrashed by goondas. Nathu Lal was reminded that he had been born a “Harijan”.

“For 20 years his wares were offered at the temple and the *poojari* considered them pure. Suddenly, people have remembered his caste, I don’t understand,” said a senior member on the temple committee.

Nathu Lal doesn’t understand either. He was given a stall at the temple by Mr. N. Rajagopal Iyengar, a Supreme Court Judge, and every morning, along with his wife Anokhi, he would make a small offering to God, which God accepted. Then, he would provide devotees with their offerings until a few months back when the *poojari* and some people on the temple management decided that offerings bought from a Harijan were not good enough for God.

In June, Nathu Lal could see his birth catching up with him. The *poojari* told him to pack off. A temple committee member said that Nathu Lal refused and prayed to God



instead. Apparently, God did not need him. His stall was ransacked.

Nathu Lal persisted. He laid out his wares and went to court. Then the management devised a new method. The *poojar*i began rejecting the offering that devotees bought from Nathu Lal on the ground that they were 'impure'.

The crunch came on Saturday. As Nathu Lal and Anokhi were laying out the agarbatti and coconut, some goondas came and hurled them aside. The couple were thrashed. Offerings to God lay scattered on the ground.

Nathu Lal can only pray. Pray that his offerings are good enough for God. May be, God will need him then".

Independence was obtained in 1947 after Partition, and India became an independent sovereign republic by the adoption of the Constitution on January 26, 1958. The conditions of the Scheduled Castes and Tribes remains much the same even 41 years after independence and 38 years after the adoption of the Constitution. The improvement made is negligible. The Constitution has abolished untouchability but untouchability continuous to be practiced even now. The anti-untouchability laws are not enforced seriously, for a vast majority of the law enforcing authorities are Caste Hindus who are not bothered about the practice of untouchability by their fellow caste-men, and the Scheduled Caste officers who are sometimes posted to enforce these laws are not effective due to fear of their Caste-Hindu Superior officers. The prosecution of the offenders under these law is very negligible and not even heard of.

The Constitution of India provides for compulsory primary education. But in an answer to a question in the Rajya Sabha it was stated on December 12, 1985, that illiteracy was 78.62 per cent among the Scheduled Castes

and 81.65 per cent amongst the Scheduled Tribes in the whole country. It was 80.35 per cent in Andhra Pradesh, 85.04 per cent in Uttar Pradesh and 89.60 per cent in Bihar. In Tamil Nadu it was 71.33 per cent amongst the Scheduled Castes and 79.55 per cent amongst the Scheduled Tribes.

The Constitution of India provides for reservation in education and Government employment to the Scheduled Castes and Scheduled Tribes. Though a comparatively small number of these people have come up in life through education and Government Employment, the progress of these minority people in these fields is tardy and negligible. This is due to the antipathy or lack of interest, nay animosity of the caste Hindus manning the machinery, through which these beneficial measures are administered. The quotas fixed for these people are not filled under the pretext of "efficiency", and even the statistics relating to the number of persons benefited by these measures are not forthcoming and are not effectively insisted upon by the higher authorities. The Government of India instructed the Chief Justices and the Chief Ministers of the States in August, 1980 to locate Scheduled Caste and Scheduled Tribes persons who could be appointed as Judges to give them proper representation, and those instructions were reiterated in May, 1984. But when a question was asked in Parliament, after due notice, it is stated in February, 1986 by the Minister of State of Law and Justice that he was unable to get the information from the State Governments. The Government of India was unable to get this information inspite of all facilities of communication like telephones, telex and wireless network due to the apathy and indifference of its Caste Hindu bureaucracy. If the matter rests there, would not this show the following two factors?

1. half heartedness of the Government of India



2. apathy of the Chief Ministers of the States regarding appointment of Scheduled Castes as Judges.

Wrote A.K. Roy in July, 1985: "Despite reservation this is true even today with the high positions, whether in politics, the services or education, dominated by the upper castes (even among Naxalites).

In the trading and cultivating communities the backwards are to be found and amongst class IV employees, the sweepers and tillers, Harijans and Adivasis. The statistics collected by the Mandal Commission were revealing. In the Class I and Class II services of the Central Government the percentage of SC and ST are only 5.68 and 18.18 and that of the backwards 4.69 and 10.63 though together they constitute 70 per cent of the population. Individually, in the President's Secretariat out of the total of 49 Class-I Officers the number of SC and ST is only four and of backwards Nil. In the Prime Minister's Secretariat out of 35 Officers only two are SC/ST. There are no Backwards. Similarly out of 162 Class-II Officers in the President's Secretariat the SC/ST number 26 and in the Prime Minister's Secretariat the figures are 13 and 4 out of 107 officers. The Home Ministry has totally 409 Class I and 1301 Class II Officers in which SC/ST number 15 and 140 and the Backwards 13 and 27 respectively ... The question of reservation to Backwards has always left the Central Government uneasy. Unlike the SC and ST, the Backwards are physically and numerically strong (above 50%) and they matter in terms of voting power and so cannot be ignored. More over, if by chance wisdom dawns and they unite with the SC and ST then the 1000 years' rule of the forward Castes would end in no time to the horror both the Left and Right".

The reservations, which have provided opportunity for only a small minority of the Untouchables and Scheduled

Tribes, and should continue, have not solved the problem of equal rights and human dignity of their masses, not even of the elite amongst them, for even their elite still suffer from discrimination and antagonism as untouchables. But some amongst the Hindus belonging to advanced communities envy these reservations of the untouchables and they do not hesitate to eat into the reservation quota by obtaining false community certificates and impersonation-crimes which are sought to be justified even by cinematograph films. The discrimination, antagonism, suffering and ill treatment of the Scheduled Castes and Tribes are so grave and intolerable that large masses of these communities are forced to embrace Buddhism, Christianity and Islam, inspite of the fact that they are aware that by conversion they would lose the benefits of reservation. As Antony Doss Gupta says:

"The untouchables know perfectly well that they will lose privileges, concessions, grants and subsidies on their conversion to Islam. Yet they are willing to embrace Islam. What is the motive? (a) Social inequality is the primary reason for the untouchables losing faith in Hinduism. (b) Nobody ever heard of a Muslim woman being raped or molested or dishonoured. Black untouchable women want exactly this. They hope to get this protection only by embracing Islam, rather than Christianity which in India is nothing but modified Hinduism, as it still observes the caste system."

The Universal Declaration of Human Rights, the basic international pronouncement of the inalienable and inviolable rights of all members of the human family was proclaimed in a resolution of the General Assembly of the United Nations Organisation on December 10, 1948. The first two Articles of the Universal Declaration emphasis that all human beings, without distinction, are born free and equal in dignity and



rights, and they set out the basic principles of equality and non-discrimination in the enjoyment of human rights and fundamental freedoms. The next 19 Article deal with the civil and political rights to which all human beings are entitled. The International Covenants on Human Rights are treaties whose States Parties, which are nations which have formally agreed to abide by their provisions, undertake to respect, ensure and take steps for the full achievement of a wide range of rights. There are two such Covenants: (1) The International Covenant on Civil and Political Rights, and (2) the International Covenant on Economic, Social and Cultural rights. These Covenants were adopted by the General Assembly in December, 1966, and they came into force in 1976. The optional protocol, and adjunct instrument to the Covenants, also come into force simultaneously in 1976. The States acceding to the optional Protocol empower the Human Rights Committee established under the Covenant, to receive complaints from individuals who allege violation of their rights set out in the Covenant. By October 1987, 91 States including India became Parties to the Economic, Social and Cultural Covenant, 87 States including India had ratified the Civil and Political Rights. Covenant and 39 States become parties to the Optional Protocol. India has refrained from becoming a party to the Optional protocol. The result is that no individual can complain to the Human Rights Committee against any violation of the right protected by Treaty of the United Nations, This is what Article 1 of the Optional Protocol to the Inter-National Covenant on Civil Political Rights says: Right without remedy is a mere shadow.

Sumanta Banerjee, a noted caste Hindu columnist, has written thus:

On almost all counts India has been violating the Covenant. The conservative figures cited by Amnesty International in its annual report are quite revealing”.

The United Nations Organisation cannot take action concerning India's violation of the Covenant because India has refused to sign and ratify the Optional Protocol. India's official excuse is that ratification of the Optional Protocol would mean foreign countries interfering with its sovereignty. Sumanta Banerjee says that Human Rights violation takes two forms in India — firstly direct violation by the State as cited in the Amnesty International Reports, and secondly State's indifference to such violations, and he concludes that such indifference —

“amounts to violation of other international covenants such as the Covenant on Economic and Social Rights to which India is a Party — A Country ratifying this covenant (like India) has its responsibility to protect all of its people from economic and social exploitation”.

The Problem of the Untouchables in India is not India's internal problem but an international problem. Apartheid is a systematic form of institutionalized racial discrimination and segregation practised by the Government of South Africa as its official policy since 1948. Under apartheid the Black South Africans are not allowed to participate in the political life of the country and are subjected to hundreds of repressive laws and regulations. The General Assembly of the United Nations and the Security Council have declared Apartheid as being incompatible with the United Nations charter and have termed that policy as a crime against humanity and have called on all states to take and promote action to end it. Did not India raise South Africans Apartheid issue before the



World Bodies and discuss it even in its own Parliament ignoring the South African Government's protest that Apartheid is an internal issue and outsiders have no right to interfere with it? India observed the International Anti-Apartheid year in 1978-79.

Even last month (Indian Express dated 14.11.1988) our Prime Minister assailed the Developed World saying that Apartheid would have collapsed a long time ago if the Developed World had not maintained economic and defence relationship with the racist Pretoria regime.

This is what Dr. Ambedkar, the most revolutionary figure in modern India has stated about the untouchables:

*The Romans had their slaves, the Spartans their helots, the British their villeins, the Americans their Negroes and Germans their Jews. So the Hindus have their untouchables. But none of these can be said to have been called upon to face a fate which is worse than the fate of the untouchables. Slavery, serfdom, villeinage have all vanished. But untouchability still exists and bids fair to last as long as Hinduism. The untouchable is worse off than a Jew. The sufferings of the Jew are his own creation. Not so are the sufferings of the Black Untouchables. They are the result of a cold, calculating Hinduism which is not less sure in its effect of producing misery than brute force is. The Jew is despised but is not denied all opportunities to rise. Yet nobody seems to take any notice of the Untouchables muchless espouse their cause"*

In his anguish he has also stated:

*Indians have not written about Untouchables for they lack courage and honesty and the foreigners have avoided the subject for fear of offending the orthodox Indian masses".*

In some quarters a distinction is sought to be made between apartheid in South Africa and untouchability and the consequent denial of human rights to and the oppression and cruel treatment of the untouchables in India on the ground that whereas in South Africa Apartheid is practised and permitted by law, in India Untouchability has been abolished by the Constitution and the Civil Rights Act and Anti-Untouchability laws have been passed against the practice of untouchability. The distinction is without a difference. *Whether Apartheid is practised in South Africa under law and Untouchability and acts of denial of human rights and of aggression are practised and committed against the Scheduled Castes and Tribes in India, inspite of the laws prohibiting them, the sufferings are the same, and in fact the sufferings of the Scheduled Castes and Tribes in India are graver than those of the Blacks in South Africa.* The responsibility of the Government and the people in India vis-a-vis the sufferings of the Scheduled Castes and Tribes does not cease by the mere fact that certain laws have been passed in this country. *Therefore the fact that the constitution has abolished untouchability on paper and the not seriously enforced Civil Rights Act and Anti-untouchability laws have been passed in this Country would hardly render the problem of the Scheduled Castes and Tribes in India is an internal problem and not an international one.*

If Apartheid is not the internal problem of the South African Government the problem of untouchables in India, which is far worse, cannot be the internal problem of India. If India could condemn Apartheid in the World Bodies and call upon the Developed World not to maintain economic and defence relationship with the racist Pretoria regime, there can be no reason why the problem of the Untouchables in India



could be said to be an internal problem of India and that it cannot be raised and discussed in the World Bodies. Therefore, the reason for India refusing to accede to the Optional Protocol of the United Nations Organisation is either that India considers that there is no violation of the Human Rights of the Untouchables in India or that it considers the problem to be so bad as to be not in its interest to be discussed in World Bodies. It is necessary to recall what Dr.B.R.Ambedkar has stated:

On January 26, 1950, we will have equality in politics and inequality in social and economic life. We must remove this contradiction at the earliest moment or else those who suffer from the inequality will blow up the structure of political democracy”.

He has further stated:

The Hindus practise injustice and tyranny against Untouchables only because they are weak. Firstly untouchables cannot face social and religious persecution so long as they remain weak and divided. Secondly, they do not possess enough strength to face the tyranny. With those two conclusions, the third one automatically follows. That is the strength required to face the tyranny needs to be procured from outside”.

The Untouchables in India, have, by now, come to know their rights and are no longer prepared to bear their sufferings any more. The youth of these Classes are awakened and are trying to assert their rights. The Scheduled Castes and Tribes cannot continue in the present state of suppression and degradation. I appeal to the Government of India and the State Governments to raise and take a real, active and abiding interest in the upliftment of these classes and the World bodies for action to remove their Human Rights violations by

raising the issue before the United Nations Organisation as done by Mrs. Jeanne Kirkpatrick, United States Ambassador to the United Nations Organisation, for which we thank her.

Though the United Nations Organisation cannot force Governments to change their practices or policies and persuasion is the only tool available to it for bringing about improvements in respect of human rights, the General Assembly, the Trusteeship Council, the International Court of Justice and the Economic and Social Council deal with Human Rights in one way or another. The Organisation's opposition to racial discrimination dates back to the United Nations Charter and the Universal Declaration of Human Rights. This has been repeated in successive resolutions of the General Assembly, which in 1963 adopted the Declaration on the Elimination of All Forms of Racial Discrimination. In 1965 it adopted the International Convention on the Elimination of All Forms of Racial Discrimination. The Committee on the Elimination of Racial Discrimination was set up in 1969 under the convention to consider reports by State Parties on the measures adopted by them for implementation. The General Assembly has created four voluntary Funds — the United Nations Trust Fund for South Africa, the United Nations Educational and Training Programme for Southern Africa, the Trust Fund for Publicity against Apartheid and the Fund for the Victims of Apartheid which is administered by the Council for Namibia. In 1973 the General Assembly adopted the International Convention on the suppression and punishment of the crime of Apartheid and opened it for signature by Member States. The United Nations has sponsored or co-sponsored World Conference and Seminars on how to eliminate apartheid. In 1981, the International Conference on sanctions against South Africa



called for further International action to isolate South Africa. In 1985 the Security Council urged Member States to adopt a number of economic measures against the Racist Regime. In 1986, a World Conference on sanctions against South Africa was held, and the Declaration adopted by the Conference called for a World Wide Comprehensive System of mandatory sanctions for bringing an end to Apartheid in South Africa and against the Country illegally occupying Namibia and attacking neighboring States. These are but a few of the many steps taken by the World Body. The Organisation has been rendering commendable service for the emancipation of the discriminated people of the World. I salute the World Body in appreciation and appeal to it to intensify its sanctions against discrimination in the World, especially India.

I also appeal to the Scheduled Castes and Tribes, especially the youth, to rise and revolt against the evils to which they are subjected in the name of caste and untouchability, educate and organise themselves, and agitate unitedly for their birth right in this our country. We should not remain content with reservation in Government services alone, but should strive to engage in business and industry.

# PROBLEMS OF INDIAN TRIBAL PEOPLE

**ARVIND NEETAM**

Following is the extract of his speech delivered in the National Workshop organised by Akhil Bharatiya Adivasi Vikas Parishad.

**I** welcome the Hon`ble members of Parliament and eminent delegates who have come to participate in the Workshop from different parts of the country. I extend my hearty welcome to the representatives of the National Press and Media who have come here to attend the Inaugural Session. I am sure they would project our cause through their network.

At the outset, I want to introduce the Akhil Bharatiya Adivasi Vikas Parishad to you and the distinguished gathering here. The Parishad was founded in 1969 by Late Shri Kartik Oraon, the great tribal leader to serve the cause of tribals of India. The main objectives of the Parishad are to preserve the cultural integrity of the tribals, to safeguard their interests, promote education and facilitate socio-economic development of the tribal people. The Parishad so far has organised 9 national level conferences and the Tenth Conference is scheduled in the month of October this year. This unique Workshop is



being organised by the Parishad in which eminent administrators, environmentalists, anthropologists and public representatives would be deliberating on four major issues which are the most burning issues of tribes of this country. They are: (i) Constitutional and Legal Provisions, (ii) Land and Forest policy issues, (iii) Issues relating Society, Culture and Education and lastly (iv) Developmental issues.

At present the population of Sched. Tribes is about 7 crores which is about 8% of our total population. The tribals in India constitute more than one-fifth of the total tribal population of the world. The total tribal population in the world is 300 million. The tribal communities of India, most of them live below the poverty line, have in the recent years, gone through the period of rapid change and transition. The plans and programmes of the Government plans have spurred the process of modernisation and change, which, however, have not yet reached the target population.

I would like to highlight a few of realities in tribal areas before this August gathering. Generally people are not aware of massive resource alienation in tribal areas which is a major bottleneck in development now. In reality the resource alienation is making the tribal economy totally bankrupt. Most of the land belonging to the tribal communities is being taken away by the non-tribals fraudulently or at a very low price. Very often the land is acquired for some Government sponsored projects and at nominal rates even those who are removed there is no worthwhile rehabilitation policy. In large number of cases, land alienation is taking place in the name of non-payment of bank loans which hardly reached to the

tribals. Similarly, the access to the other natural resources like minerals, forests, water etc. has been denied everywhere on one pretext or other. Either there is monopoly of the state in exploitation of natural resources or the lands are leased out to the non-tribal private contractors. It is a well known fact that forest resources have become state monopoly and tribals are either reduced to forest labourers or mere collectors of the minor forest produce.

The displacement of tribals due to installation of industries and developmental projects is a hard reality in tribal areas. Tribal interests are being sacrificed for industrialisation and the so called development of the area. The survival of the tribals is under threat due to displacements whether it is because of an irrigation project or mineral project or a big industry. I would just give the example of Bailadilla Iron Ore project which is polluting all the major rivers of the South Bastar, causing serious environmental and health hazards in the area. Other, examples are Burgi Dam of Madhya Pradesh which has rendered thousands of tribal families homeless. The discontentment and resentment against displacement in the tribal areas may be seen at Narmada Sagar and Sardar Sarovar project.

There is no doubt that the tribals have to be brought in to the mainstream. But today, the tribal society and its culture is in great danger because of its exposure to the outside world in a haphazard manner. They are being uprooted because of the displacement and their unique culture is being demolished. Even the intervention of the State through developmental activities without understanding their needs to natural habitats of tribals without protecting their cultural heritage is one area needs further rethinking on our approach to development.



One very disturbing feature is our status of Education. Even literacy rate in tribal area is lowest among all. The female literacy is hardly 2% in most of the tribal dominated regions. The standard of education is far below the required level. The gap in literacy level between STs and rest of the population has widened over the years.

If we look to the past, tribals were supposed to be the healthiest community because of the natural surroundings they live in. They have been living in natural surroundings since ages. They were physically fit, sturdy, agile and active people having no major problems in their systems. They could walk 50 to 100 Kms everyday to collect minor forest produce, visit weekly markets and attend social and religious festivals without getting physically exhausted. But today if we look at the health problems in these areas, people are affected by widespread epidemics and the infant mortality is very high and Life expectancy is less than 45 years in these areas as the people suffer from all kinds of diseases for example Meningitis, Malaria, Cholera, Gastroenteritis, tuberculosis and leprosy. Some tribes are even at the verge of extinction due to the health problems. Look at the Great Andamanese. Today they are 29 in number and for the last several years, there is no addition. I do not want to go into the details of epidemics in different tribal areas but it is a fact that the health condition is deteriorating and the malnutrition problem is becoming alarming day by day.

These realities are major challenges before the tribes of India today. The Akhil Bharatiya Adivasi Vikas Parishad is in a process to identify the tasks ahead to face the challenges so that the tribal communities could survive and find a path of development which is suitable to their social

fabric, identity and culture. I would categorize some of the tasks ahead:-

Although the founding fathers of constitutional were vigilant enough to make elaborate provisions for the overall economic and social development of the tribals but the reality today is that these provisions are being distorted and diluted.

The non-implementation of the Constitutional provision can be easily seen from the various annual reports of the ST\SC Commission which I need not elaborate here. There is need to review even the constitutional provisions in todays circumstances. Even after than 46 years of independence, these constitutional provisions have not yielded desired results. Therefore, there is a strong need to review these provisions and the drawbacks in the implementation of these provisions at the grass root level.

Let me also dwell a bit on the 5th Schedule and the 6th Schedule of the Constitution. We know that the 5th Schedule applies to other than the North-Eastern States and the 6th Schedule to the other States.

While the provisions under the 6th schedule are definitely more favourable to the tribal interests than those in the 5th Schedule in terms of local administration of basic facilities such as education, health, transport and the management of land including revenue matters. However, it appears that a meaningful participations of the tribes in the decision making process and implementation of various programmes at the local level has been far from the desired level. I feel that the most important reason for this state of affairs is the lack of adequate funds at the disposal of the Councils.



The 73rd Amendment to the Constitution has placed panchayatiraj institutions in a more-advantageous position in respect of development functions by giving them more administrative and financial powers. We have now best the amendments affected in the case of panchayatiraj bodies could be introduced in the 5th and 6th schedules of the Constitution to enable them to have adequate powers for self governance.

With regard to the question of reservation, many argue that because of reservation policy, meritorious boys and girls of other communities are deprived of the opportunities and efficiency suffers. But such persons fail to appreciate and realize that much of the educational opportunities are being availed by the better of sections. It is but natural that at a given point of time the privileged state enjoys facilities which equip their children better to compete than those of the under privileged. While employment opportunity is a critical issue in a poor country like India, hardly one per cent of the available jobs are in the government sector. Therefore, even complete abolition of reservation cannot improve the employment opportunities. Thus, the argument of suffering of the so called meritorious persons is not well-founded. Regarding efficiency, one of the renowned educationists Professor Khusro has rightly viewed that the question of efficiency and welfare should be considered together, otherwise there would be neither efficiency nor welfare. The relevant question is whether the possession of meritorious qualities is of use to the massess of people in this society. If a person is unwilling to work in rural areas and for the poor and does not appreciate their problems, in my view the so called merit is irrelevant. In this regard, the Supreme

Court Judgement of 16th November, 1992 has posed some serious doubts about the basic philosophy of reservation for the backward classes. I am sure the deliberations would consider the implications of such issues would bring about practical solutions of the problems being faced by the tribals at large and facilitate major policy decisions in the context of tribal development.

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*Mr. Arvind Neetam was the Former Minister of the State for Rural Development in the Ministry of Agriculture and the General Secretary of Akhil Bharatiya Adivasi Vikas Parishad.*





Mr. Henry Thiagaraj presenting a brocade to the Mayor at Vienna on a boat trip taking some of the delegates.







Dalits were very active at the Vienna Conference. The Canadian organisation "Ambedkar Centre of Justice and Peace" took a space displaying the posters on Dalits and books by Dr.Ambedkar Centre.

Mr.V.T.Hirekar, Dr.R.M.Pal, Mrs.Hirekar, Dr.Mrs.Nirmala Arulprakash are seen in front of the stall run by the Dalits.







Members from NGO's from India and Japan in front of the UN Conference Centre at Vienna.

The Photograph shows Mr.Henry Thiagaraj, Dr.Mrs.Nirmala Arulprakash, Bishop M.Azariah, standing with the Japanese Burakuvan delegates. (From Left to Right)







The Mayor of Vienna Dr.H.Zilk presented a book on Vienna to Mr.Henry Thiagaraj. The Mayor arranged a tour of Vienna to the press persons who attended the Vienna Conference.







Every morning as the delegates were about to enter the Conference Hall they saw protest posters on different issues held by the members of various NGO's from many countries.







The children of Vienna put up a family tree in front of the Conference Hall.





WORLD CONFERENCE  
ON HUMAN RIGHTS



CONFÉRENCE MONDIALE  
SUR LES DROITS DE L'HOMME

VIENNA, AUSTRIA, JUNE 1993

VIENNE (AUTRICHE) JUIN 1993



The Diaz of the World Conference on Human rights with  
the United Nations President and the Secretary General of the Conference.







Larger view of the delegates attending the Vienna Conference.  
The Conference was the first of its kind in 25 years and included  
171 Members of States and 1,000 Non-governmental Organisations.





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# ANNEXURES

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## ANNEXURE - I

Statement made by the Dalit Liberation Education Trust  
on the **Situation of Untouchable People (Dalits)**  
**in South Asia Region,**  
at the **World Conference on Human Rights** of the  
**United Nations on 24th June 93 at Astoria Centre,**  
**Vienna** during the 11th meeting of the Main Committee\*

*Madam Chairperson:*

**T**he World Conference on Human Rights is an epoch making event in which everyone participating has a unique privilege to shape the future of humanity as a whole. This historical event in Vienna reflects the anguish of humanity today - the growing pains caused by violence and violation of human rights around the world, as seen by the variety of exhibits, documents and personal testimonies presented by more than 1,000 NGOs around the world - at the lower levels of the Austria Centre. At the same time, this great Global Conference offers great hope to people seeking solutions to the painful problems and violations. Several distinguished speakers representing many countries expressed support to the opening theme of this Conference to make "human rights as the common language of all humanity". We are heartened to hear that "Human Rights permeates all activities" of the United Nations which aspires to make the "Human Rights the very foundation and supreme goal". Thus, a new criterion has been established by the Secretary-General of the United Nations to evaluate all activities of development and government.

It is in achieving the supreme goal of "all human rights for all" we bring to the attention of this august body the plight of the 250 million untouchable people in the South Asia Region. The sheer magnitude of the number of people suffering discrimination alone is sufficient to attract

\* UN - DPI - Press release No. HR/VIE/39 - dt. 24.6.93 page 2 refers to this statement

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the attention of this World Body. The NGO Forum meeting in Vienna had set up a separate workshop to deal with Casteism and the conclusions of this workshop have been given in Document A/Conf.157/7 14 June 1993, page 23 for the consideration of this World Conference.

**When our group arrived in Vienna, a friend took us to visit Mauthausen, near Linz, to see the site of a concentration camp of the Nazis - which now has memorials of the people who suffered in human torture and death. This reminded us of the experience of our own Dalit people suffering violence and pain. It is very clear to us that "casteism" and its untouchability doctrine is a manifestation of nazism still practiced in modern times in South Asia. It has all the dangerous ingredients of racism which manifests in ugly forms.**

As untouchable people, we have chosen a name for ourselves - Dalits, the broken people, to overcome the stigma of being born in an untouchable community. Untouchability is worse than apartheid, as it is not colour but the community and the place in which one is born that discriminates a person: whether in the Caste Village or the segregated Dalit Colony. Discrimination of one's very existence, one's being - starts from birth and continues to haunt all through life and goes beyond death by separate burial/cremation grounds. This anachronistic belief system - sanctioned by the Hindu religion, has been absorbed by other religions through social practices and taboos. This pernicious doctrine is insidious, showing up in discrimination of occupation, marriage, and segregated housing. Casteism is a man-made myth, which was designed to keep a class of people under servitude. Historically it originated from the powerful invaders who created segregated communities to oppress the native indigenous people and to enslave the conquered communities by imposing



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discriminatory taboos: denial of ownership of land, denial of education, denial of worship and spirituality, denial of growth of human personality, denial of drinking water, and access to public roads.

Dalits were condemned to engage in degrading occupations like carrying dead corpses, leather workers, cobblers, scavengers, street sweepers, and agricultural coolies. All kinds of dirty, difficult and dangerous work are assigned to the Dalits who in many places are still treated like slaves - as their masters are born by birth to lord over them and enjoy the fruits of their labour. This practice of "casteism", dehumanizing people for over 2,500 years, enforced deplorable living conditions. This reality is easily seen even today in rural areas - where feudalistic social structures and attitudes, supported by a colonial bureaucracy keep people in oppressed conditions: as landless labourers, and bonded labourers. Women are induced to prostitution (Devadasi system) and nude worship; which are forced on them in the name of religion. They are subject to all kinds of humiliations and violence like burning Dalit Villages with people alive, murder and criminal assaults - all of them are well documented.

As per a published official document, in the year 1991 total number of criminal cases registered by the Government is 21362. In the same year 1067 Dalit women are raped, 731 Dalits are murdered, 645 incidents of arson took place, 1890 dalits were grievously hurt. Another 17029 cases of offenses against Dalits were registered. In other words it amounts to: Every hour two Dalits are assaulted, every day three Dalit women are raped, two Dalits are murdered, two Dalit houses are burnt. Under these circumstances child labour abounds.

The national press have pointed out in several leading articles how the tormentors go free while victims await for

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justice with pain from wounds inflicted on their body and soul. Justice delayed is justice denied, and our people suffer with anguish. Despite clear laws abolishing untouchability, the crimes committed by upper caste feudal people continuously reveal the deep-rooted prejudices which cannot be changed by mere legislation alone. Efficient law enforcing machinery and the will of people in power to implement the laws are urgently required. In this area the United Nations Human Rights Commission can play a vital role.

When Dalits want to escape from the oppressive social system by seeking faith and comfort in other religions, they are denied of the benefits of the Government. In other words they are denied the freedom of belief, though they continue to suffer the same socio-economic disadvantages. This is clear violation of article 18 of U.N. Human Rights. Several protest and petitions against this discrimination on the basis of religion have not produced any remedial measures.

This World Conference highlighted the inter-relationship of human rights with democracy and development. This new paradigm will herald a new revolution in the world based on justice. The removal of poverty and social development of deprived people - with full realization of human rights go together, that a country's real progress is measured by the quality of life of the people. Thus, this new criterion of human rights is necessary to evaluate the economic aid to a country on the basis of social development and enjoyment of human rights by the Dalit people, who are denied of justice and progress for several centuries. The Dalits remain untouched by development - as literacy, disease and poverty is high among the Dalit people who are exploited by age old barbaric customs. It is in this context of socio-economic realities we would like to urge the United



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Nations Human Rights Commission to establish a cell to end the racist manifestation of untouchability which is a crime against humanity.

We would like to emphasise a preventive education of human rights as a must to remove deep-rooted prejudices to end atrocities and discrimination of Dalit people. We also whole heartedly welcome and support the Secretary-General's project, as he outlined in his opening speech: "to help States change attitudes, convince them to undertake structural reforms . . . educate their citizens and set up regulatory mechanisms that respect democracy and concern for human rights". This "global workshop" project will bring together the NGOs working at grassroots level of the people and the governments - bridging the existing gap, and will remove suspicions and conflict.

As a grassroot people's organisation, we are engaged in non-violence oriented educational methods and communication to promote Human Rights education as a people's movement. As we affirm our conviction on the Universal Declaration of Human Rights, we recall the words of a great champion of human rights for Dalits, Dr. B.R. Ambedkar: "The world owes a duty to the untouchables, as it does to all oppressed people to break their shackles and to set them free". We plead that the United Nations which is the conscience of the world's humanity to accord high priority to appoint a Special Commissioner to study the situation of untouchable people and to initiate measures to end violations of human rights against Dalits and other vulnerable groups. **Human rights is an "idea whose time has come" (Victor Hugo) - to bring real humanity to the deprived millions of Dalit people in the Asian region, through justice and progress.**

Thank you, Madam Chairperson.

ANNEXURE - II

REPORT OF PARTICIPATION BY  
THE DALIT LIBERATION EDUCATION TRUST (DLET)  
IN THE WORLD CONFERENCE ON HUMAN RIGHTS  
ORGANISED BY THE U.N. IN VIENNA 14-25 JUNE  
IN THE PRECEDING NGO FORUM FROM 12-14 JUNE

**T**he DLET had the privilege to receive an invitation from Mr. Ibrahima Fall, Secretary-General of the World Conference on Human Rights to participate in the World Conference at Vienna from 14-25 June 1993 as an Observer - Non Governmental Organisation. It may be mentioned that DLET received a similar invitation for the U.N. Preparatory Conference of the Asia-Pacific Region held at Bangkok from 29th March '93 to 2nd April '93. My statement in the Asian Regional Conference of the Human Rights in April '93 at Bangkok has created sufficient response that the invitation to the World Conference was extended as a natural process.

In response to the invitation of the Secretary General of the UN Conference the DLET was represented by Rt. Rev. M. Azariah, Bishop in Madras and Chairman of the Trust, Dr. Mrs. Nirmala ArulPrakash, Lecturer of History and Dalit Woman Scholar and Mr. Henry Thiagaraj, Chief Functionary of the Trust.

This Global Conference is once in a life time experience and a rare privilege to highlight the plight of the Dalits in India at a world forum. Caste discrimination is not a subject of the U.N. Human Rights Commission hitherto. We are 5 Dalits from Asia (South), who made an impact along with the 3 Dalit friends from the West. Mr. Yogesh Varhade, an Indian settled in Canada, President of the Ambedkar Centre for Justice and Peace in Toronto was also present in the Conference and was able to hire a stall in the NGO tent for two days and a table at



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the main corridor for displaying our posters and publications. He was accompanied by Mr. & Mrs. Hireker of London three Dalit friends hailing from India are now settled in the West - Northern NGO. In the opening plenary on 11th evening Mr. Yogesh Varhade from Canada and I raised the issue of having a separate Workshop on Caste issues, which require special attention. Caste issues, bonded labour and child labour are all linked together in India. Our request was accepted. The next day a room was allotted and we discussed the issues and our report was presented in the general plenary of the NGO Forum.

Our report was included in the official document of the NGO Forum, which was presented to the World Conference by U.N. General Assembly Document 157/7 dated 14.6.93. However this report was debated well in advance. For example, Swamy Agnivesh of India, a saffron - clad monk who took lot of interest in the question of bonded labour disagreed with others on the question of Hinduism being responsible for untouchability and wanted to make a reference to discrimination existing in other religions also.

About 1000 NGO's from all over the World attended; each organisation bringing a delegation of an average of 4 persons. The NGO Forum which was to commence on 12th June had a problem of starting on time, as registrations of all the NGO's were not completed. The hall for the opening preparatory meeting was not sufficient to accommodate all the delegates. There was some confusion and lack of organising was evident which resulted in some adverse comments on the NGO Planning Committee. It culminated the NGO Planning Committee resigning and a new committee was elected to move forward.

The poster we brought out specially for this purpose "everyday two dalits are assaulted, - etc., and the documents on the "Wounded Society" - Dalits of India was well exhibited and distributed.

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Bishop Azariah spoke in the Workshop E which dealt on Xenophobia, Racial discrimination and Religious Intolerance. He interacted with number of people attending this Workshop, in addition to participating in the Workshop on Casteism, covering plenary sessions and meeting Government delegates. We met number of delegates informally including Mr.M.M.Jacob, Former Minister of Home Affairs and currently the Chairman of the Parliamentary Committee of the Home Ministry. Mr.Jacob mentioned that he was largely responsible in bringing out a legislation on Human Rights Commission in India. He agreed with us on the importance of Human Rights Education for Dalits. A list of the people whom we met is given in the annexure.

Dr.Nirmala ArulPrakash attended the Women's Rights meetings in addition to covering certain session of the Plenary. The presence of Ruth Manorama of Bangalore who came late to the Conference helped in personal interactions and was a support to us especially in women's groups. As several hundreds of NGO's wanted to speak everyday, the choice fell on those who prepared statements. Mr.Yogesh Varhade registered his name to speak in the plenary Session. I registered my name to speak in the main committee of the World Conference which dealt with the details of the Agenda like democracy, development and Human Rights. I prepared a statement which is given in the annexure. A copy of my statement was given in advance with the request to the Chairman of the Committee to allot me ten minutes. I was called to speak on 24th June, 12.20 p.m. at the 11th Meeting of the main committee. As I was reading my statement mentioning the incidents like rape, murder, arson etc. as published in the official report, the Chairperson of the Committee, Ms.Halima E.Warzazi Ambassador of Morocco interrupted my speech to say that there should be no specific reference to any specific country, as per the rules of the



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Conference. So I skipped a few lines of my statement dealing with the subject of arson and rape and concluded with the prevention education of Human Rights. The Madam Chairperson thanked me for my cooperation. The next day the U.N. Press release carried a reference to my speech.

The following achievements were accomplished:- (1) We are able to impress on the NGO's to accept Casteism and untouchability as an issue in the Conference. (2) The Conference newspaper "Terra Viva" No.6 dated Thursday 7th June 93 carried an article, a pictorial story, under the title "Dalits Seek recognition" by Ann Doughtry. (3) We are the only Asian Dalit NGO who were active in the Conference thus broken a new ground in raising this issue and making people to accept it as an item. (4) Our statement was supported by the Asian Women Human Rights Council which made a reference to Dalit Women, as read by Ms.Coleen Kumar D'Souza of Bangalore.

Evaluation: It would have been ideal if a Dalit group work together well in advance and prepared sufficient material for lobbying with government delegates from the North. We realised that our vision, purpose of Dalit Liberation should rise above our personal agendas and personal projections for publicity to achieve our objectives of getting full human rights for our people. What we managed in a short time is remarkable with the limitations of time and uncertainties in obtaining funds for travel, as a small Dalit group we made our presence felt, attracting the attention of the World Body to the discrimination suffered by the Dalits. We were happy that our mission to Vienna was successful and given us great satisfaction of serving our people.

Conculsion: Our work does not end at Vienna. **Beyond - Vienna** - towards 2000 A.D. is the real challenge. We need to be alert, we need to be part of an international network at the sametime keeping our grassroot work alive and expanding. **We have a big task at hand!**

### ANNEXURE - III

## The situation of Untouchability in Asian Region

Statement submitted by Dalit Liberation Education Trust  
to the UNITED NATIONS HUMAN RIGHTS CONFERENCE  
of the Asia-Pacific Region held in Bangkok on March 31, 1993

*Mr. Chairperson:*

**T**he Human Rights Commission in Geneva has produced a number of documents to uphold Human Rights around the world, recognising there are areas which cause great concern for the survival of humanity. With several UN instruments on Human Rights, like ending all forms of racial discrimination, the question before this august body is whether these will remain only on paper, when about 250 million people in Asia-Pacific Region are suffering discrimination because of untouchability. Untouchability as an inhuman social system was initiated two thousand years ago for keeping a class of people under servitude.

This anachronistic system is socially practised even today despite laws against it, and manifests in ugly forms like segregated housing in villages, discriminated occupations, marriage and social taboos. It continues even after death by separate burial grounds. Untouchability is worse than apartheid, as here discrimination is determined on the basis of the community in which one is born and not colour. It is perpetuated and supported by religious sanctions. Historical documents state that untouchability originated by invading races which enslaved the native inhabitants destroying their cities and kept them away from society as separate class.



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Thus indigenous people were indoctrinated that they were born polluted; and were denied education and human rights. Thus a process of dehumanisation started. Thus social deprivation combined with economic exploitation resulting in millions of peoples living in poverty, illiteracy and disease.

The practice of untouchability has expressed itself in violent forms, often in burning villages with people alive, massacre of deprived people, raping women, forcing girls into prostitution in the name of religion, and nude worship and causing grievous hurt on youth, all of which are well authenticated in official reports and press coverages. We are dumbfounded and shocked to witness these gruesome events. Social prejudices are so deeply rooted in the minds of people that it manifests itself in the most barbaric acts in the modern world. Instead of suffering this pain of our people, we seek the prevention of these violent atrocities on innocent people by effective education.

Mr. Chairperson, We recommend that in the Asian region, where this problem is alive, human rights education should be launched to eradicate this practice of untouchability and social ostracism which contravenes the universal declaration of human rights.

Our organization fully endorses the recommendation of the NGOs present here in their collective statement to appoint a Special Commissioner of Human Rights at a higher level to assist effective and rapid implementation of UN instruments. In addition we urge the appointment of a "Special Rapporteur" to study untouchability suffered by 250 million people in the Asian Region and to present a report to the UN Human Rights Commission within a period of one year.

We fully support the specific recommendation made by the Bangkok declaration of the NGOs on untouchability which reads as follows:

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"We call on the UN to take appropriate steps to eradicate the practice of untouchability, which is a crime against humanity and to end discrimination on the basis of caste, religion and other factors by the year 2,000, failing which sanctions will be imposed, keeping in view that development projects financed by UNDP and IFIs for the poor are not affected."

In concluding, I recall the services to remove untouchability by a great champion of human rights in the twentieth century, Dr.B.R.Ambedkar who said, in a democracy "we will have equality in politics and (with untouchability) we will have inequality in social and economic life. We must remove these contradictions at the earliest." he urged. As a grassroot organization, we believe that millions of untouchable peoples will find justice and progress through human rights, which restore human dignity to people living in dehumanized conditions.

Thank you, Mr.Chairperson, for giving us this opportunity to present our position.

**HENRY THIAGARAJ,**

*Managing Trustee, Dalit Liberation Education Trust*



## ANNEXURE - IV

### United Nations World Conference on Human Rights Extract from the Statement by Asian Womens Human Rights Council

**MS. COLEEN KUMAR D'SOUZA**

Asian Womens Human Rights Council

**O**ver 250 million people in the Asian region suffer under the crime of untouchability through the caste system. Large scale violations include the setting fire to huts and homes, the torture, arbitrary arrests and disappearances, the rape and sexual slavery of the women, the forcing of young girls into prostitution in the name of religion. Dalits are denied access to public spaces - to drink water from public wells, to visit hotels or places of religious worship; they form the majority of child labourers and bonded labourers in the region.

We recommended that the World Conference on Human Rights recognise these atrocities against the dalits as violent crimes against a people and call upon the governments in the region to take action to stop these violations. We also urge the United Nations to pressurise the governments in the region to eliminate all forms of caste discrimination and to enforce the implementation of the existing International Human Rights Law and the National Constitutions.

We add our voices to the many voices of women all over Asia and of the women at the World Conference on Human Rights and call attention to the urgent need to widen the existing human rights terrain informed with a gender perspective.

Women have begun to shift the parameters of the human rights discourse.

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We are finding new definitions: new concepts, new categories. No one, until the women arrived, dared to describe these forms of brutalisation as sexual slavery; or rape as a war crime, or the obliteration of communities of women as an act of genocide, or the recognition of the feminization of poverty, that poverty has a woman's face.

But we are naming these crimes:

We are giving these crimes their public and political face:

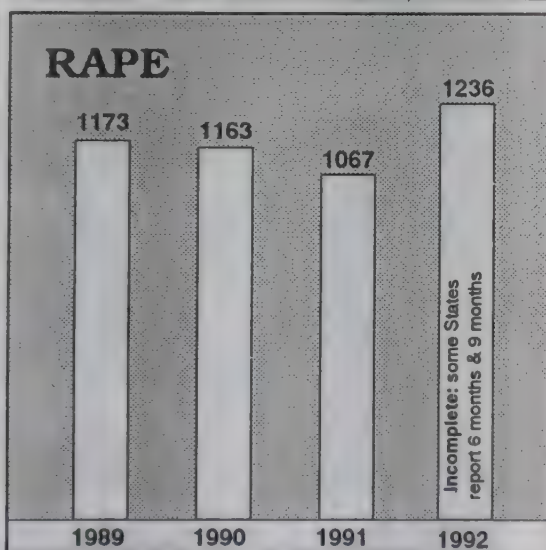
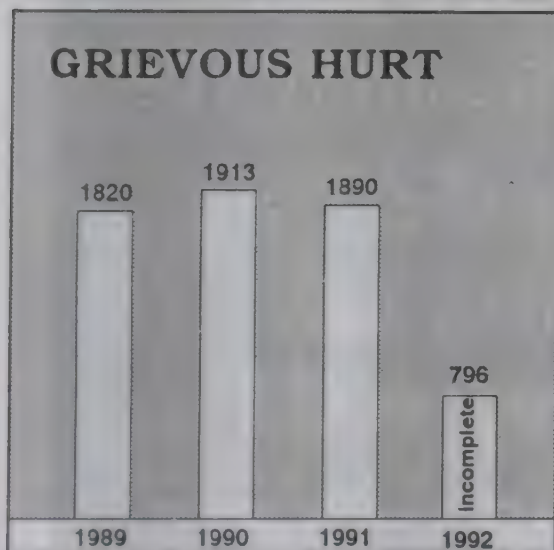
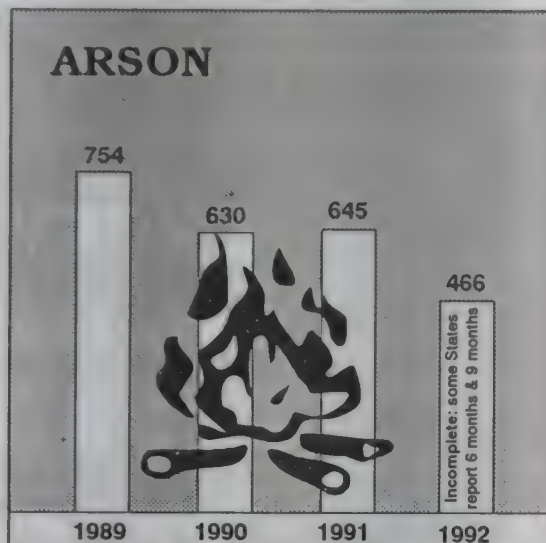
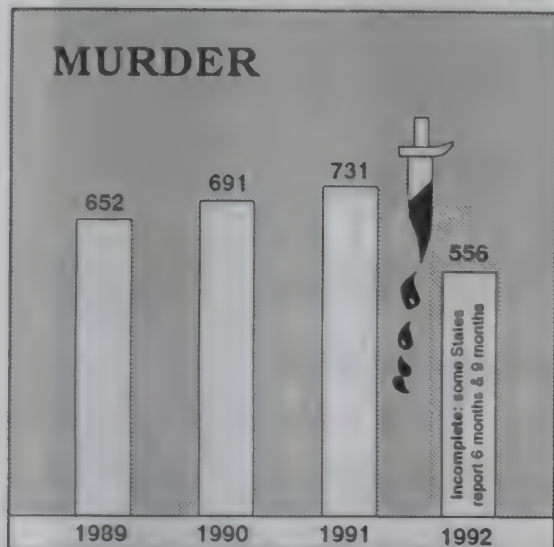
We are seeking redressal and reparation.

The women in Asia urge the World Conference on Human Rights to recognise the need to seek new insights, to find new terrain, to create a new generation of women's human rights. We need to extend the notion of individual human rights and move towards an understanding of the collective and community rights of peoples. We need to encourage the passing of a paradigm that has understood human rights as the rights of the privileged, of the powerful. We need to listen to the voices of those who do not share that power. To see human rights violations through the eyes of the victims - victims of development, of progress, of technical fixes, through the eyes of the "comfort women", the women at the rest and recuperation military bases, the trafficked women, the dalit women are people on the edges.

Through the eyes of the women. Because they tell us a very different story. I thank you for listening



**Number of Cases of Crimes against Dalits  
(Scheduled Castes and Scheduled Tribes) in India**



Other Crimes against Dalits under the Indian Penal Code of India	
Year	Total Number of Cases Registered
1989	15023
1990	16880
1991	17029
1992	Incomplete: Some States reported for 6 months and some 9 months only 12797

Total Number of Cases of Crimes againsts Dalits - Scheduled Castes and Scheduled Tribes In India	
Year	Total Number of Cases Registered
1989	19422
1990	21307
1991	21362
1992	Incomplete: Some States reported for 6 months and some 9 months only 13,393

Source: 1992-93 Annual Report, Ministry of Welfare,  
Govt. of India.  
Presented in Parliament during Budget Session this  
year

*Graphs and Research: Dalit Liberation  
Education Trust, Madras. June 1993*



**every hour  
two Dalits are  
assaulted!**

**every day  
three Dalit Women are  
*raped!***

**two Dalits are  
murdered!**

**two Dalit houses are  
burnt!**

**in india**

**Crimes against Dalits mentioned  
above is only officially reported!**

**Dalits are Untouchables and Tribal people  
Scheduled Castes & Scheduled Tribes**

**Human Rights Education Movement of India**

161, T.T.K. Road Madras-600 018



## Commemoration

This book commemorates the historic occasion of Inaugurating the **National Workshop on Human Rights and Societal Changes with reference to SCs/STs** jointly organised by the **Dalit Liberation Education Trust**, Madras and **National Human Rights Commission**, New Delhi on 3rd August '96 at 9.30 a.m. by the Hon'ble **Mr.P.A.Sangma**, Speaker of Indian Parliament (Lok Sabha), Justice **Shri.Ranganath Misra**, Chairman, National Human Rights Commission presiding in the august presence of **Mrs.Mohni V.Giri**, Chairperson, National Commission for Women, Justice **Shri.Malimath**, Member, National Human Rights Commission, **Shri.Virendra Dayal**, Member, National Human Rights Commission, **Mr. R.V.Pillai**, Secretary General of NHRC., **Dr.B.L.Sheth**, Member, National Commission for Backward Classes, **Rt.Rev.M.Azariah**, Bishop of Madras, Church of South India, **Mr.Prakash Ambedkar**, M.P., **Dr.R.K.Nayak**, Secretary, Ministry of Rural Areas and Employment, Govt. of India and **Dr.L.Mishra**, Secretary, Ministry of Labour, Govt. of India and distinguished Professors and participants of the National Workshop.













Students Union has helped him in goodstead in his function as head of the Madras University Student Advisory Bureau during 1978-82.

With his insight into the complex problems of the under-dog of society, Mr. Henry Thiagaraj launched upon a constructive programme of Dalit Liberation Education in 1985 as a lone crusader to educate dalit for social awakening, self-reliance and self-help.

He attended the Asian Regional Human Rights Conference held by UN Commission on Human Rights at Bangkok in March 1993 and made a statement on the "Situation of Untouchability in the Asian Region". He was also invited to attend the 1993 World Conference on Human Rights at Vienna where he presented statistical information and a statement on Dalit situation.

In short he could encompass his dalit limitations to reach out to the poor extending succor and support to the suffering masses. What is more! His enriching experiences have transformed him from a deprived dalit being to an accomplished human being and a citizen of the world.

Mr. Henry Thiagaraj is currently the Managing Trustee of Dalit Liberation Education Trust, Madras and the Convener of Human Rights Education Movement of India.



# Rajapalayam violence leaves five dead

EXCLUSIVE SERVICE  
Rajapalayam violence leaves five dead

## Over 100 hurt in clash near Vanda

Periakulam clash: 30 let on bail

NEWS SERVICE  
In a case filed in a court at Periakulam, 30 persons were let on bail by the judge.

# குண்டு பாய்ந் வாலிபர் ம

வாச்சாத்தி வழக்கு

246 பே

## SC/ST migrant may lose th



## Violence erupts in S. Arcot; 1 dead

Violence erupts in S. Arcot; 1 dead  
This is an area where there is a lot of violence. The police are trying to control the situation. One person has been killed.

## Untouchables turn untouchables in Patiala village

HARD TIME  
DALITs facing a hard time in Patiala village.

renders 5,000  
homeless

total deaths